
I Do appoint *Benjamin Tooke* to Print
the **TRYAL** of *Laurence Braddon*
and *Hugh Speke*; and Order that no
other Person presume to Print the same.

Geo. Jeffreys.

I Do appoint *Benjamin Tooke* to Print
the TRYAL of *Laurence Braddon*
and *Hugh Speke*; and Order that no
other Person presume to Print the same.

Geo. Jeffreys.

THE
TRYAL
 OF

LAURENCE BRADDON

AND

HUGH SPEKE, Gent.

Upon an

INFORMATION

OF

High-Misdemeanor, Subornation and
 spreading false Reports.

Endeavouring thereby to raise a Belief in His Majesties
 Subjects, that the late Earl of *ESSEX* did not
 Murther himself in the *TOWER*, contrary
 to what was found by the *Coroners* Inquest.

Before the Right Honourable

Sir George Jeffreys,

KNIGHT and BARONET,

Lord Chief Justice of His Majesties Court of **KINGS-BENCH**,
 and the rest of the Reverend **JUDGES** of that Court, holden
 at *Westminster*, on *Friday* the 7th. of *February*, 1683.

L O N D O N :

Printed for *Benjamin Tooke* at the Ship in *S. Paul's*
Church-Yard, 1684.

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THE TRYAL OF

Laurence Braddon and Hugh Speke, Gent.

On Thursday the Seventh of February, Anno Dom. 1683. Annoq; Reg. Caroli Secundi xxxvi. A Tryal was had at the Kings Bench Bar, in a Cause between our Sovereign Lord the King, and Laurence Braddon and Hugh Speke, Gentlemen; upon an Information exhibited against them the last Term, by his Majesties Attorney General, for an High Misdemeanour: and to which, they the same Term pleaded Not Guilty, and the Tryal proceeded in this manner.

Cl. of Cr. **C**ryer, call the Defendants, Laurence Braddon and Hugh Speke.
Cryer. Laurence Braddon and Hugh Speke, come forth or else this Inquest shall be taken by your default.
Mr. Wallop. They appear.

Cl. of Cr. Gardez votrez Challenges. Swear Sir Hugh Middleton, (which was done,) and there being no Challenges, the Twelve Gentlemen sworn to try this Cause, were these.

Sir Hugh Middleton,
Thomas Harriott.
Thomas Earsby,
Joshua Galliard,
Richard Shoreditch,
Charles Good,

Jur.

Samuel Rouse,
Hugh Squire,
Nehemiah Arnold,
John Bisfield,
William Wait and
James Supple.

Who being counted, Proclamation was made in usual form for Information.

Cl. of Cr. Gentlemen, you of the Jury hearken to the Record. His Majesties Attorney General in this Court has exhibited an Information against the Defendants by the Names of Laurence Braddon of the Middle Temple, Gentleman, and Hugh Speke of Lincolns Inn, Gentleman.

And the Information sets forth.

That whereas Arthur Earl of Essex, the 12th. of July, in the Thirty Fifth year of the Reign of our Sovereign Lord Charles the Second, by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c. was committed to the Prison of our Lord the King, in the Tower of London, for certain High-Treasons by him supposed to be committed. And the said Arthur Earl of Essex being a Prisoner in the Tower of London aforesaid, for the High-Treason aforesaid, the 12th. day of July, in the aforesaid Thirty Fifth Year of the Reign of our said Sovereign Lord the King, that now is, not having the fear of God before his eyes, but being moved and seduced by the instigation of the Devil, at the Tower of London, aforesaid, in the County of Middlesex, aforesaid, himself feloniously, and as a Felon of himself did kill and murder, as by an Inquisition taken at the Tower of London aforesaid, in the County of Middlesex aforesaid, the 14th. day of July, in the year aforesaid, befor Edward Fernham

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Esquire,

The Tryal of Laurence Braddon,

Esquire, then Coroner of our Lord the King, of the Liberty of the Tower of London, aforesaid, upon the view of the Body of the said Arthur Earl of Essex; and now in this Court remaining of Record more plainly does appear. They the said Laurence Braddon and Hugh Speke not being ignorant of the Premises, but contriving, and maliciously and seditiously intending the Government of our said Lord the King of this Kingdom of England, into Hatred, Disgrace and Contempt to bring, the 15th. day of August, in the aforesaid Thirty Fifth year of the Reign of our said Sovereign Lord the King that now is, and divers other dayes and times as well before as after, at the Parish of S. Clement Danes in the County of Middlesex, with force and arms, &c. falsely, unlawfully, maliciously and seditiously did conspire and endeavour to make the Subjects of our said Lord the King of this Kingdom of England, to believe that the Inquisition aforesaid was unduly taken, and that the said Arthur Earl of Essex by certain Persons unknown, in whose Custody he was, was Killed and Murthered. And to perfect and bring to effect their malicious and seditious Contrivances aforesaid; they the said Laurence Braddon and Hugh Speke at the Parish of S. Clement Danes in the County of Middlesex aforesaid, the 15th. day of August, in the Thirty Fifth year aforesaid, falsely, unlawfully, unjustly, maliciously and seditiously did conspire to procure certain false Witnesses to prove, That the said Arthur Earl of Essex, was not a Felon of himself, but that the said Earl of Essex by the said Persons unknown was killed and murthered: And to perswade other Subjects of our said Lord the King to believe this to be true, they the said Laurence Braddon and Hugh Speke, falsely, maliciously and seditiously, then and there in writing did declare and cause to be declared, the said Laurence Braddon to be a Person that would prosecute the murther of the said Earl of Essex; to the great Scandal and Contempt of the Government of our Lord the King of his Kingdom of England, to the evil example of all other in the like case offending, and against the Peace of our Sovereign Lord the King, his Crown and Dignity. To this Information the Defendants have severally pleaded Not Guilty, and for their Tryal have put themselves upon the Country; and His Majesty Attorney General likewise, which Country you are: Your Charge is to enquire, whether the Defendants, or either of them, are Guilty of this great Misdemeanour whereof they are Impeached, or Not Guilty? If you find them or either of them Guilty, you are to say so; if you find them, or either of them Not Guilty, you are to say so, and no more, and hear your Evidence.

Then Proclamation was made for Evidence.

Mr. Dolben. May it please your Lordship, and you Gentlemen that are Sworn, this is an Information preferred by Mr. Attorney General, against the Defendants Laurence Braddon and Hugh Speke, and the Information does set forth, That whereas Arthur late Earl of Essex the 12th. of July last, was committed to the Tower of London for certain Treasons supposed to have been by him done: And the said Earl being so committed Prisoner to the Tower for Treason, not having the fear of God before his eyes, feloniously and as a Felon, did kill and murther himself, as by an Inquisition taken before the Coroner of the Tower-Liberty may more fully appear, yet the Defendants Laurence Braddon and Hugh Speke not being ignorant of the Premises, but designing to bring the Government into Hatred and Contempt, the 15th. day of August last, at the Parish of S. Clement Danes in this County, with force and Arms falsely, unlawfully, maliciously and seditiously did conspire together to make the Kings Subjects believe, That the Inquisition aforesaid was unduly taken, and that the said Earl of Essex did not murther himself, but was by certain Persons unknown, in whose custody he was, murthered. And it further sets forth, that these Defendants Laurence Braddon and Hugh Speke designing to disturb and disquiet the minds of the Kings Subjects, and to spread false reports, did conspire to procure certain false Witnesses to prove, that the said Earl of Essex was not a Felon of himself, but was by some Persons unknown, killed and murthered: And to perswade other Subject of our Sovereign Lord the King, to believe the said Report, they did falsely, maliciously, Unlawfully and Seditiously cause to be declared in Writing, That the said Laurence Braddon was the Person that did prosecute the said Earls Murther. And this was to the great Scandal of the Government, to the evil Example of all Persons in like case offending, and against the Peace of the King, his Crown and

and Dignity. To this the Defendants have pleaded *Not Guilty*, if we prove it upon them, we make no question you will find it.

Mr. *Att. Gen.* May it please your Lordship, and you Gentlemen of this Jury, Mr. *Speke* and Mr. *Braddon*, these two Gentlemen, are accused of as High Conspiracy as ever has or could well happen in our days, of throwing the Murther of a Person that killed himself, upon the Government. And I must acquaint you, their design was of an higher Nature than barely that; for this Gentleman, my Lord of *Essex* was committed to the *Tower* for the late Plot, and being so committed, when he had killed himself there, that was more than a thousand Witnesses to open the eyes of the People, and confirm the belief of the Conspiracy: And one would have thought, after that there had been an end of the design, that these Protestant Gentlemen, as they call themselves, were carrying on; when the Earl of *Essex* a Person of that Quality and Worth, should go to Murther himself upon the sense of what he was Guilty of. So that the Design, Gentlemen, was to stifle the Plot, and at the same time they must throw this ill thing that the Earl had committed upon himself, upon the Government, that, Gentlemen, was the main disgrace in order to stifle that great Evidence of the Plot. And Mr. *Braddon* must of his own head, not being put on by any of the Friends of the Earl of *Essex*, who were all very sensible the Earl had done this Fact, committed this Murther upon himself; but I say, he out of a true Principle to manage the Protestant Cause as they call it, but indeed it was the Plot, he becomes the Prosecutor of this business, and you will find him by the proofs in the Case, a man of many like Projects. For you will find him value himself upon these Titles, That he is the Prosecutor of the Earl of *Essex*'s Murther, and the Inventor of the Protestant Flails, an Instrument, I suppose Gentlemen you have all heard of.

Now Gentlemen, to make this appear to the World, Letters are sent into all Parts of *England* of this Bruit and Report. He himself goes about to find Evidence; for it was so great a truth, and there was such a plain proof that the Earl of *Essex* had killed himself, that he must labour it to get Evidence. And he goes about it accordingly, and at length he meets with a little Child of Twelve years of Age, and he prepares for him all with his own hand-writing, a Deposition, which is a feigned Story all of it, and in every part of it will appear to be false, and there he mightily solicits this young Boy to sign it. He comes to his Fathers House, carries him in a Coach, forces him away, and forces him to sign this Paper that he had thus prepared for him, all of his own invention and writing; and with the like confidence as he appears here, (for so he does appear with very great Confidence, as you may observe) he attests it himself. And Gentlemen, we shall shew you, that here up and down the Town he makes it his common discourse, what he was in hand with, and makes his boast of himself to be the Prosecutor of the Earl of *Essex*'s Murther, and he had as good a Confederate as himself, Mr. *Speke*, and he having an Interest in the Country, whither the news must be sent all abroad, and Mr. *Braddon* must go to pick up Evidence, I know not where a great way off of a Murther committed in the *Tower*. We shall prove to you, he had Letters Miffive and commendatory from Mr. *Speke* to a Gentleman with whom Mr. *Braddon* was to advise: for they looked upon it to be as dangerous an Enterprize almost as the Plot it self, as indeed it was; therefore they must be wary, and Mr. *Braddon* is advised to go by a wrong name, so this Mr. *Speke* and *Braddon* were to carry on and make up this Tragi-Comedy, for I can call it nothing else, for the ridiculousness as well as the dangerousness of the Design. The report was to be that this Murther of the Earl of *Essex* was committed by the Officers that attended my Lord, and to fall out in time when his Majesty was

in the Tower, as if the King himself had a hand in it. We shall trace it in all the parts of it by several Witnesses, and hope you will make them an Example, first by finding them Guilty, and the Court afterwards by a severe Punishment for such a villainous practice, to scandalize the Government with the Murthe of a Noble Peer. We shall begin with shewing you the Inquisition, or rather first with the Convictment of the Earl of Essex for High-Treason, because that is said in the Record by way of inducement.

Call Mr. Reynolds, (who was sworn) Have you the Warrant of Commitment of my Lord of Essex? Mr. Reynolds, Yes.

Mr. Att. Gen. Shew it the Court. Let the Clerk read it.

Mr. Reynolds. This is the Commitment that was delivered the Lieutenant of the Tower, together with my Lord of Essex.

Cl. of Cr. This is directed to Thomas Cheek, Esquire, Lieutenant of his Majesties Tower of London. Subscribed Leolin Jenkins, and dated—

Sir Leolin Jenkins, Knight, of his Majesties most Honourable Privy Council, and Principal Secretary of State.

These are in his Majesties Name to will and require you to receive into your Custody the Person of Arthur Earl of Essex herewith sent you, being committed for High-Treason, in compassing the Death of the King (whom God preserve) and conspiring to Levy War against His Majesty. And him the said Earl of Essex to keep in safe custody, until he shall be delivered by due course of Law. And for so doing this shall be your Warrant. Given under my Hand and Seal at Whitehall the 10th. day of July, 1683.

To Thomas Cheek, Esquire
Lieutenant of His Majesties
Tower of London.

L. Jenkins.

Mr. Att. Gen. My Lord, we will then read the Inquisition, that the Earl being thus in the Tower, killed himself.

Mr. Sol. Gen. Shew the Inquisition. Where is Mr. Farnham?

Mr. Farnham. Here I am. The Inquisition is returned here, and is upon Record.

Cl. of Cr. Here it is Number 11. Hereads

London. ff. An Inquisition indented, taken at the Tower of London aforesaid, in the County of Middlesex, the 14th. day of July, in the year of the Reign of our Sovereign Lord Charles the Second by the Grace of God of England, Scotland, France and Ireland, King, Defender of the Faith, &c. the Thirty Fifth; before Edward Farnham Esquire, Coroner of our said Lord the King, of the Liberty of the Tower of London aforesaid, upon view of the Body of Arthur Earl of Essex, then and there lying dead; by the Oaths of Samuel Colwel, Esquire, William Fisher, Thomas Godsel, Esquire, Thomas Hunt, Nathaniel Mountney, Esq; Thomas Potter, William How, Robert Burgoine, Eleazer Wickins, Thomas Hogdesh, Henry Cripps, Richard Rudder, William Knipes, John Hudson, John Kettlebeter, Lancelot Coleson, Morgan Cowan, Thomas Bryan, William Thackston, Richard Cliffe, Ziebediah Pritchard, William Baford and Theophilus Carter, good and lawful Men of the Liberty of the Tower of London aforesaid, who being charged and Sworn to enquire for our said Lord the King, when, by what means, and how the said Arthur Earl of Essex, came to his Death, upon their Oaths do say, that the said Arthur Earl of Essex the 13th. day of July, in the Thirty Fifth year of the Reign of our said Sovereign Lord the King aforesaid, at the Tower of London aforesaid, in the County of Middlesex aforesaid, about the hour of Nine in the Forenoon of the same day, not having the fear of God before his eyes, but being seduced and moved by the Inspiration of the Devil, of his Malice aforesaid, at the Tower of London aforesaid, in the County aforesaid, then and there being alone in his Chamber, with a Razor of the value of one Shilling, voluntarily and feloniously did cut his Throat, giving unto himself one Mortal Wound, cut from one Jugular to the other, and by the Arteria

Arteria, and the Wind-Pipe to be Veriebres of the Neck, both the Jugulars being thoroughly divided, of which said mortal Wound, the said Arthur Earl of Essex instantly died; And so the Jurors aforesaid say upon their Oaths, that the said Arthur Earl of Essex, in manner and form aforesaid, then and there, voluntarily and feloniously as a Felon of himself, did kill and Murther himself, against the Peace of our Sovereign Lord the King, his Crown and Dignity. In Witness whereof as well I the Coroner aforesaid, as the Jurors aforesaid, to this Inquisition have Interchangeably put our Seals, the day and year above said.

Mr. Att. Gen. Call Mr. Evans and Mr. Edwards. After this, my Lord, we shall shew you, that Mr. Braddon went about the Town, and declared the Earl was Murthered, and he was the Prosecutor. There is Mr. Evans, Swear him (which was done.) Pray will you give an account to my Lord and the Jury, what you know of Mr. Braddon's going about and declaring he was the Prosecutor of my Lord of Essex's Murther?

Mr. Evans. My Lord, All that I know of this matter is this. About the 17th. of July last —

L. C. J. When is the Inquisition?

Cl. of Cr. It is the 14th. of July.

L. C. J. Well go on.

Mr. Evans. The 17th. of July last, I was at the Custom-House Key, shipping of some Lead, and the Person that brought me the Warrant, I told him I could not Execute it without one of the Commissioners Officers; and I bid him go to Mr. Edwards, who was the next Officer adjoining to the Key, and he went to his House, and told him I was at the Water-side, and had a Warrant which I desired him to be present while I Executed it, Mr. Braddon it seems, was then present in the place with Mr. Edwards when this was told him, and hearing my Name, Mr. Braddon came down with Mr. Edwards, and found me then at Smith's Coffee-House, and Mr. Edwards told me, Mr. Braddon had been with him examining his Son in relation to a matter of a Razour that was thrown out of my Lord of Essex's window, and I presently replied, I desired they would not speak of any such matter to me, for I had seen the Coroners Inquisition upon Oath, where it was declared, the thing was so and so, and two Persons had Sworn what seemed to be contrary to this; and therefore I desired they would forbear any such discourse to me.

L. C. J. Who they?

Mr. Evans. Braddon and he were together.

L. C. J. Who, he? Man.

Mr. Evans. Mr. Edwards. And withal I made my application to Mr. Braddon, and I desired him he would not meddle with such a matter, for I thought it might be prejudicial to him, and Mr. Edwards too. Mr. Braddon made me no answer, but went directly out of the Room.

L. C. J. What do you mean by so and so, and a Razour thrown out of a window? We do not understand your So, and So.

Mr. Evans. Relating to a matter of a Razour.

L. C. J. Prithee, we don't know what that matter of a Razour is.

Mr. Evans. A Razour that was said to be thrown out of my Lord of Essex's Window.

L. C. J. Tell us what the Story was, man.

Mr. Evans. Mr. Edwards told me that Mr. Braddon was with him to examin his Son relating to a matter of throwing a Razour out of my Lord of Essex's Window: This is that he said to the best of my remembrance.

Mr. Sol. Gen. Was Braddon present there?

Mr. Evans. Yes, Mr. Braddon and Mr. Edwards were both present.

L. C. J. Well, what was the discourse between you? Tell us plainly.

Mr. Evans. Says Mr. Edwards to me, Mr. Braddon has been to examin my

The Tryal of Laurence Braddon

Son about such a matter, so I desired he would not discourse any thing of that matter to me, and I told him, I advise you not to proceed, for I told him it would be prejudicial both to him and Mr. *Edwards* too.

L. C. J. What is meant by this matter? He examined my Son about a matter, and I desired him he would not discourse of this matter, What is all that matter?

Mr. Just. Holloway. What did you apprehend by it?

Mr. Evans. I apprehended that Mr. *Braddon* had been to examin Mr. *Edwards's* Son about such a matter.

L. C. J. What matter man?

Mr. Evans. His dispersing of any such Report.

L. C. J. What Report?

Mr. Evans. A Report of throwing a Razour out of my Lord of *Essex's* window.

L. C. J. Here is a Razour thrown out of a window, and a matter of I know not what.

Mr. Just. Withins. Suppose a man should throw a Razour out of a window, what signifies that?

L. C. J. Where had he heard of that matter?

Mr. Evans. This is all I heard, my Lord, I am upon my Oath.

L. C. J. But I wish thou wouldst let us know, what it is thou didst hear.

Mr. Jones. Was there no talk of a bloody Razour?

Mr. Evans. No, not a word of it.

L. C. J. How came you to be frighted then, and to be unwilling to hear of that matter, and to tell him, you thought it might be prejudicial to him and Mr. *Edwards*?

Mr. Evans. I told him I had seen the Coroners Inquest, where it was proved, that the Razour lay in such a place; therefore I desired they would not speak to me of any such matter, and I desired Mr. *Braddon* not to proceed in it, for you may do your self, and Mr. *Edwards* too, some prejudice.

Mr. Att. Gen. Look you, Mr. *Evans*, what did you understand by the throwing the Razour out of the window, and giving him caution not to proceed? The Razour might be found there, what was the meaning of it?

Mr. Evans. May it please your Lordship, There was a Report at the Custom-House, that very morning the Earl of *Essex* cut his Throat, that there was a Razour thrown out of the window.

Mr. Jones. You did advise *Braddon*, you say, not to proceed in it.

Mr. Evans. Yes.

Mr. Jones. How came you to advise him so?

Mr. Evans. Because it might be prejudicial to him, and Mr. *Edwards* too.

Mr. At. Gen. Was there no talk between Mr. *Edwards*, Mr. *Braddon* and you, that Mr. *Braddon* would be a Prosecutor of the Murther of the Earl of *Essex*, upon your Oath?

Mr. Evans. Not one word or Syllable. For Mr. *Braddon* spake not one word, good or bad: I gave an account to Secretary *Jenkins*, of every word that passed.

Mr. At. Gen. Did not you advise him not to prosecute the business?

Mr. Evans. I did advise him not to disperse such a Report.

L. C. J. What Report?

Mr. Evans. Of a Razour being thrown out of my Lord of *Essex's* window.

Mr. At. Gen. Why, suppose there had been a Razour thrown out of the window, what then?

Mr. Evans. Then it was contrary to the Information and Evidence given before

before the Coroner.

L. C. J. Why so? why might it not be thrown out after it was found in the place where the Inquisition says? Thou art a wonderful cautelous man. Where is the danger of the Report, of a Razour being thrown out of a window? there must be something more in it, if we could but get it out of him.

Mr. Evans. Will your Lordship be pleased to hear me.

L. C. J. Ay, I do hear thee, but I do not understand thee.

Mr. Evans. May it please your Lordship, I will read the words *verbatim* that I gave to the Secretary.

L. C. J. Why, I believe you can read, and I make no doubt you can write too, or you are not fit to be a *Custom House* Officer.

Mr. Evans. I put in this Paper to the Secretary, and will repeat what I said then, as near as I can upon my Oath.

L. C. J. I care not a farthing what you delivered to the Secretary, tell us what thou hast to say plainly.

Mr. Evans. May it please your Lordship, I will read it what it is.

Mr. Sol. Gen. You may look upon your Paper to refresh your memory, but you must not read it here.

Mr. Evans. If it please you, I will tell you the reason and occasion I had to go to the Secretary.

L. C. J. I know not what occasion thou hadst to go to the Secretary, nor do I care what thou didst when thou camest there, it may be thou madest three Legs, it may be never a one; what is that to us? what canst thou say to the matter here before us?

Mr. Evans. That is all I can say my Lord. It was an Accident that they came in to my company. And I tell you the manner and the occasion. That Person that brought me the Warrant, saying to Mr. Edwards that I was below, Mr. Braddon hearing my name named, comes down with Mr. Edwards, for he had told Mr. Edwards I was related to him, and they both came to the *Coffee-House*, and there they began to discourse about this matter.

Mr. Just. Withins. Who began to discourse?

Mr. Evans. Mr. Edwards.

L. C. J. Well, what was it he said to thee?

Mr. Evans. Mr. Edwards began thus. Says he, Mr. Evans, this Gentleman has been at my House to examin my Son concerning a Report that is spread abroad concerning a Razour that was thrown out of the Window of the Earl of Essex's Lodgings, that morning he cut his Throat. I hearing of that, said I, Gentlemen, I have read the Coroners Inquest that is in Print, and it is otherwise declared there: And therefore let there be no discourse of any such matter, for I believe no such thing. And said I, to that Gentleman, Mr. Braddon, pray forbear meddling in any such thing, for Mr. Edwards is a poor man, and has divers Children, he may be ruined, and you likewise may be ruined your self, if you proceed any further in it.

Mr. At. Gen. We shall Interpret this matter by our other Witnesses.

L. C. J. Ay, so you had need, for there is nothing to be made of this Fellows Evidence.

Mr. North. Pray, by the Oath you have taken, when you gave that advice, did Mr. Braddon make you no answer?

Mr. Evans. No, none at all.

Mr. Braddon, [Lifting up his hands in an unusual manner;] Mr. Evans, pray will you answer one thing?

L. C. J. Pray Sir, let us have no elevation of hands. Your confidence does

not so well become you in a Court of Justice, this is not a Cause wherein you need use so much confidence. Mr. Braddon. Sir, pray answer, did not I—

L. C. J. What is it you would ask him?

Mr. Braddon. My Lord, I desire he may be asked, Whether I, with a Brother of his, did not come to his Country-House, on the *Monday* immediately after my Lord of *Essex's* death, and whether at his Table there was not a Report then of a Razour being seen to be thrown out of my Lord of *Essex's* window?

L. C. J. Pray ask by your Council, they are most proper to ask questions for you. Tell them what you would have asked, and don't make long Stories your self.

Mr. Wallop. Were you not in company with Mr. Braddon, the *Monday* after my Lord of *Essex's* death?

Mr. Freke. What was the Report Sir at your Table, upon the *Monday* next after my Lord of *Essex's* death?

Mr. Evans. My Lord, if your Lordship please—

L. C. J. Pray Sir, make a short and plain Answer to what questions are asked you, and let us have none of your Circumlocutions, and your discourses of the matter, and the matter; but let us understand what you say.

Mr. Evans. I will my Lord. L. C. J. What is your question?

Mr. Braddon. Whether I was not upon the *Monday* after the Earl of *Essex's* death, at his Table, where there was a discourse of a Report, that a Razour was thrown out of the window, before Murther was cried out, and concerning a Boy, which went to take it up.

L. C. J. What a Story is here, pray ask him a fair and a short question, if he can remember what was said at his House? We are got quite to the Custom-House and the Coffee-House again, and I know not where.

Mr. Freke. What discourse was there at your Table, Sir, the immediate *Monday* after the Earl of *Essex's* death, concerning a Razour thrown out of a window?

Mr. Evans. My Lord, this to the best of my remembrance, is what I have to say, and remember of the thing, that a Gentleman being with him—

L. C. J. Who? Mr. Evans. Mr. Braddon.

Mr. Wallop. Where was this? Mr. Evans. In the Country.

Mr. Wallop. Where, in what Country? Mr. Evans. In *Essex*.

Mr. Wallop. What was the place's name?

Mr. Evans. At *Wansted*, my Lord: and being there, and he plucking out a paper.

L. C. J. He, who?

Mr. Evans. A Brother of mine, that that Gentleman came down with to see me.

L. C. J. What is his name? Mr. Evans. His name is Mr. *William Hatfell*.

L. C. J. With whom did he come? Mr. Evans. With this Person.

L. C. J. With this Person, who is this Person? Mr. Evans. Mr. Braddon.

L. C. J. Why canst thou not name him, without this wire-drawing? Thou art a most exact Custom-House Officer, I'll warrant thee, thou canst not make a plain answer to a plain question.

Mr. Evans. My Lord, I beg your pardon, I do not know the methods of Court.

L. C. J. Prithe, I care not for thy methods, nor thy matter, but deal plainly with us.

Mr. Evans. My Brother Mr. *Hatfell*, came down along with Mr. Braddon to my House at *Wansted* in *Essex*, on the *Monday* after my Lord of *Essex's* death, and coming down, my Brother Mr. *Hatfell*, pulled out the Coroners Inquest upon Oath that was printed, and shewing of it to me, I read it, and as soon as ever I had read it, said I, Mr. *Edwards*, that was at the Custom-House that very morning when the E. of *Essex's* Throat was cut, did declare to me upon the Custom-House Key, That his Son did declare, that the Razour was thrown out of the window, which seems to contradict this Paper, that says, it was found lying by him.

Mr. Freke.

Mr. Freke. Was this before Mr. Braddon was with Mr. Edwards?

Mr. Evans. I can't tell that.

Mr. Freke. Was it before Mr. Braddon and Mr. Edwards came to you to the Coffee-house?

Mr. Evans. Yes, I believe it was.

Mr. Att. Gen. You say Mr. Braddon came with Mr. Haspel to your House at Wantstead?

Mr. Evans. Yes.

Mr. Att. Gen. Who was the Person that told this Story?

Mr. Evans. He brought down the printed Paper with him, and upon plucking out that Paper and reading of it, the Story was told.

Mr. Att. Gen. Pray who was the Person that told him it was so reported at the Custom-house?

Mr. Evans. I made that Answer my self immediately upon reading the Paper; for I observed what the Coroners Inquest had returned; and upon that I made this Observation, That it seemed to contradict what was declared at the Custom-house that morning my Lord of Essex cut his Throat.

Mr. Att. Gen. Pray who declared there that the Razor was thrown out of the Window?

Mr. Evans. It was Mr. Edwards told me.

L. Ch. Just. Why consider with your self now, You say first of all Edwards and Braddon came to me to the Coffee-house.

Mr. Evans. That was at another day.

L. Ch. Just. I am sure you swore so at first.

Mr. Evans. With your Lordships Favour—

L. Ch. Just. And with your Favour too Sir. Pray will you hear me, I have heard you a great while I am sure to no purpose. But consider with your self, and pray be pleased to reconcile what you say now with what you said at first if you can. You say first of all Edwards and Braddon came to me to the Custom-house, and found me out at the Coffee-house, and that Edwards should say, Some body had been with his Son, in order to examine him about a Razor that was thrown out of my Lord of Essex's Window, and that you immediately cried out, Have a care of that, for that contradicts the Inquisition that I have seen in Print, which declares as though the Razor was found in the Room. And after that you say, It was that you saw the Inquisition when Haspel came down with Braddon, and you told him of the Report at the Custom-house. How came you if you had not seen the Inquisition till then, to give out such words at the Custom-house, Have a care of meddling with that, because that contradicts the Inquisition?

Mr. Evans. My Lord, This was several days before that?

Mr. Att. Gen. Yes, my Lord, this Discourse at Wantstead was before that at the Custom-house.

Mr. Wallop. This that he now speaks of is an Answer to Mr. Braddon's Question, which was about a Discourse that passed before this other at the Custom-house. This that he speaks of the Discourse at a Coffee-house was afterward, but indeed he first spake of it; but these were two distinct matters at several times. This last of the Custom-house was, when he had made the Examination of the Boy, as that Witness says.

L. Ch. Just. Therefore I think it was fit to explain it, for it looked very inconsistent before, what thou saidst at first, and what thou saidst now; but if thou tellest me thy Essex matter was before thy Coffee-house matter, it is well, otherwise the matter I assure you looked very ill.

Mr. Evans. This is the truth, my Lord; and I can tell no more.

Mr. Att. Gen. Take the Times, my Lord, and you will see he does speak very notably. The 13th. of July my Lord of Essex murdered himself, the 14th. of July the Inquisition was taken before the Coroner, pray what was the day

that *Hatfel* and this Gentleman came down to you to *Essex* ?

Mr. Evans. I can't tell that, Sir, truly ; but it was before this matter of the Examination of the Boy.

L. Ch. Just. But pray let me ask you one Question, If your matter about the Inquisition in the Countrey was before the matter of your cautious Discourse at the Custom-house, how came you to tell them, I heard this Report of a Razor thrown out of the Window, that morning the Earl of *Essex* cut his own Throat ?

Mr. Evans. *Mr. Edwards* reported this same thing that very same morning to me and several others at the Custom-house-Key.

L. Ch. Just. Why did you not tell us this before ?

Mr. Evans. I beg your pardon, my Lord, I do not understand the methods of the Court.

Mr. Wallop. *Mr. Hatfel* gave the occasion by pulling out the Inquisition.

L. Ch. Just. Pray, Sir, make your Observations anon, let the King's Council go on with their Evidence.

Mr. Att. Gen. What Discourse had *Mr. Braddon* with you then at that time when *Hatfel* came down with him to your House you say, and pulling out the Inquisition you read it, and made Answer, You heard at Custom-house-Key such a Report that very morning the Earl murdered himself.

Mr. Evans. *Mr. Braddon* was walking up and down the Room, I did not speak it to him, but I spake it to *Mr. Hatfel*, but I believe *Braddon* over-heard and took notice of it.

Mr. Just. Withins. Did he concern himself about it ?

Mr. Evans. No, not much, I did not hear him say any thing, but he walked up and down the Room.

L. Ch. Just. Now after all this Discourse of the matter, for ought I can understand, the matter is but this : He says, *Edwards* before the meetings either at his House in *Essex*, or at the Coffee-house by the Custom-house, reported to him, as tho' the Earl of *Essex* had not murdered himself, but some body else had done it for him. And this was reported at the Custom-house that morning the Earl of *Essex* cut his own Throat, and he hearing this Report at the Custom-house at that time, afterwards comes *Braddon* and *Hatfel* to his House into *Essex*, and after *Hatfel* had shew'd him the Paper of the Inquisition in Print, he said, I heard some Discourse from *Mr. Edwards* at the Custom-house of a quite other nature, and then he says, *Braddon* and *Edwards* came to the Coffee-house, and there it was he desired them not to talk of that matter, for, said he, that contradicts the Inquisition I saw before. This is the substance of what he said.

Mr. Att. Gen. And hereby it does appear, that *Braddon*, and *Evans*, and *Edwards*, and *Hatfel*, are all of a Gang.

L. Ch. Just. Have you the Information he gave in to the Secretary, *Mr. Att. Gen.* That that was given before the Council ?

Mr. Att. Gen. Yes, 'tis much the same with what he hath said now.

Mr. Evans. Yes, my Lord, 'tis *verbatim*, as I have declared now.

Mr. Att. Gen. Only this other part of *Hatfel* and the meeting in *Essex* was spoken of since, that was not declared before.

Mr. Evans. No, my Lord, that I did not speak of, because I was not examined about it.

Mr. Att. Gen. That was part of the Secret.

Mr. Evans. No, it was common Discourse with me. And I did not think any thing of it, what *Mr. Edwards* said at the Custom-house, was spoken to a great many others as well as me, and the people seemed to be surprised with an account of the thing at the first news of my Lord of *Essex's* death.

And

And if I had thought it material I could have brought a great many that were by then ; but *Mr. Edwards* is here brought himself, I suppose he will not deny it.

Mr. Sol. Gen. Look you, Sir, you say that very morning my Lord of *Essex* killed himself, *Mr. Edwards* discoursed, and made this Report to you at the Custom-house, pray tell what the discourse was? what he said to you? and then tell us what time of day it was?

Mr. Evans. To the best of my remembrance it was about eleven a Clock; there were several persons standing together, among the rest Captain *Goodland*, and some of the Searchers, and *Mr. Edwards* was there, and said he, I am informed from home, That my Boy has been at home, and given an accompt to my Wife, that being in the Tower, he saw a hand throw a Razor out of a Window, and he named my Lord of *Essex's* Window; and this *Mr. Edwards* did not only tell me, but to a whole Coffee-house of people, this matter of fact.

Mr. Just. Holloway. Did not *Mr. Edwards* tell you, That some body had been examining his Boy about that Report?

Mr. Evans. That was the second time, when *Mr. Braddon* and *Mr. Edwards* came together.

Mr. Just. Holloway. Who was it had been examining his Boy did he say?

Mr. Evans. *Mr. Braddon* he said had been to examine his Son.

Mr. Just. Holloway. That was after the discourse at *Essex* that *Braddon* came to examine his Son concerning the Razor.

Mr. Wallop. Yes, it was after the discourse at *Essex*, where *Hatsel* plucking out the Paper *Evans* told *Mr. Braddon* first of this Razor.

L. Ch. Just. Well, make your defence by and by *Mr. Wallop*: Do not make your Remarks now.

Mr. Att. Gen. Come, *Mr. Edwards*. Cryer swear him (which was done)

L. Ch. Just. What do you ask him *Mr. Attorney*?

Mr. Att. Gen. *Mr. Edwards*, Pray will you give the Court an account of this business; for I don't know whether you heard what that Gentleman that went out last said, he says you raised this Story, Pray give an account what you know of it.

Mr. Sol. Gen. Pray tell what you know of *Mr. Braddon's* coming to your Son, and what discourse he or you had about the murder of the Earl of *Essex*.

Mr. Edwards. The Report that *Mr. Braddon* came to enquire after, was with us some three days before; It was in our Family three days before, and upon the 17. of July.

L. Ch. Just. What was the Report, *Mr. Edwards*, before *Mr. Braddon* came to you?

Mr. Edwards. The Report I have already declared before the Council.

L. Ch. Just. But you must tell us too, what it was.

Mr. Edwards. The Report of the Boy the 13. of July about 10 a Clock, as I was informed by my Family, and by the Boy afterwards by word of mouth, was this, He comes in about 10 a Clock, says he, I have been at the Tower (to one of his Sisters,) and have seen his Majesty and the Duke of York, and the Earl of *Essex* has cut his throat, and I see an hand throw a Razor out of the Window, and one came out of the house, a Maid, or a Woman in a white Hood and a Stuff Coat and took it up, and went in again, and then I heard a noise as of murder cryed out. This was the Boys Report, and more than as his Report I can't speak to it.

L. Ch. Just. This was your Son, was it not?

Mr.

Mr. Edwards. Yes, the younger of them. The two Boys were that morning going to *Merchant-Taylor's* School together as they used to do, and by the way hearing the King was in the Tower, this younger Boy that was well acquainted with the Tower, gave his elder Brother the slip and went into the Tower, and rambled about from place to place.

Mr. Att. Gen. Did not you examine him?

Mr. Edwards. Ay, I did examine him.

Mr. Att. Gen. Did not you find that he denyed it again?

Mr. Edwards. No, I did examine him, and I found no denial of any thing at all that he had reported till *Mr. Braddon* came to make enquiry. As soon as he came to make the enquiry, and I understood what *Mr. Braddon's* business was, I begged of him that he would not insist upon it by no means; I begged of him as if I had begged for my life, but he was so zealous in the business, that nothing would satisfy him. And after I had told *Mr. Braddon* that which I could not deny, which was the Boys Report; I left him and went down to the Custom-house, and some of my Family discoursed the Boy at that rate that he began to deny it, and in less than half an hours time recollected himself and began to own it again, and so the Boy was off and on till the time he was before the Council; and to this day he seems to stand in the denial, whether he will do it now or no I can't tell.

Mr. Att. Gen. Did you acquaint *Mr. Braddon*, That you had found this Boy to be a lying Boy, and detected him in Lyes several times?

Mr. Edwards. May it please you Sir, I acquainted him with thus much: Said I, *Mr. Braddon*, As I have dealt ingenuously with you, to let you know what the Boy's Report was, so I must likewise tell you, that I cannot nor will undertake to assert the truth of it, and presently upon that my Daughters told me, the Boy had many times excused his playing Truant by false Stories.

Mr. Att. Gen. Did you acquaint *Mr. Braddon*, that your Boy was a lying Boy at that time?

Mr. Edwards. I think I did not at that instant of time.

J. Ch. Just. How old is this Boy you talk of?

Mr. Edwards. About 13 years of Age, my Lord.

Mr. Att. Gen. What do you know of *Mr. Braddon's* forcing your Boy to sign any thing that he had prepared after this?

Mr. Sol. Gen. When you told him, your Boy had deny'd it, what did he say? was he pleased and satisfied?

Mr. Edwards. He was not told it by me, but some of my Family.

Mr. Sol. Gen. How did he behave himself?

Mr. Edwards. At the same time they told him he denied it, at the same time they told him he owned it again.

Mr. Sol. Gen. How did *Mr. Braddon* behave himself?

Mr. Edwards. Like a civil Gentleman: I saw nothing else by him, but that he was very zealous in the Business, that is the truth of it, nothing could persuade him to desist.

Mr. Just. Holloway. Pray did you ask *Mr. Braddon*, or did he tell you, what was the reason that he was so inquisitive about this Razor, and the Report of the Boy?

Mr. Edwards. As to that he told me, he would let me know the reason of it, which was out of conscience.

Mr. Just. Did not *Mr. Braddon* carry your Son before several Justices of Peace?

Mr. Edwards. Before none as I know of, not one truly to my knowledge.

Mr.

Mr. Att. Gen. Did you understand he had taken your Boy from your House in a Coach?

Mr. Edwards. Never till he carried him into his Majesties presence before the Council, and I knew not that till the Boy came home.

Mr. Thompson. Mr. Attorney, Have you done with him? May I ask him a Question?

Mr. Att. Gen. Ask him what you will.

Mr. Thompson. If I understand you right Sir, this Report of the Boys was that morning that the Earl of Essex was murdered—

L. Ch. Just. Was murdered, murdered himself man.

Mr. Thompson. My Lord, I mean the day of his death. Now I would ask you Sir, when that was?

Mr. Edwards. The Boy's Report was this, Sir—

Mr. Thompson. I ask you not what his Report was, but when? what day it was?

Mr. Edwards. The 13th. of July. That day the Earl of Essex cut his Throat.

Mr. Thompson. How many days after that was it when Mr. Braddon came to you?

Mr. Edwards. It was not till the 17th. of July.

Mr. Thompson. Had you discoursed of the Report of your Boy at the Custom-house, or any where else, that same day he came to you?

Mr. Edwards. I cannot say that.

Mr. Thompson. Had you discoursed it before Mr. Braddon spake to you upon your Oath?

Mr. Edwards. Yes, I believe I had.

Mr. Sol. Gen. Had you discoursed it before your Boy told you?

Mr. Edwards. I should then indeed have been the Contriver of the Story.

Mr. Att. Gen. So it is like enough you were.

Mr. Sol. Gen. Had you discoursed it to anybody before you went home to your own House upon your Oath Sir?

Mr. Edwards. Upon my Oath then I discoursed nothing of that nature, not a tittle of it, nor knew nothing of it, till I had it from my own Family.

Mr. Sol. Gen. Did you not discourse of it before you went home?

Mr. Edwards. No, when I came home they told me of it.

L. Ch. Just. I ask you again Sir, Did not you tell it before you came home?

Mr. Edwards. About 10. a Clock, I having heard the News of the Earl of Essex's cutting his Throat, at the Custom-house, I stepped home, being very near to my own House, and as soon as I came in at the Door, the Family began to give me an account what News the Boy brought in.

L. Ch. Just. That was the first time you heard of it?

Mr. Edwards. Yes, that was the first time I heard of it.

L. Ch. Just. And did not you discourse of it till after that?

Mr. Edwards. No.

L. Ch. Just. Call Mr. Evans. Let him come in again then.

Mr. Att. Gen. Let Mr. Evans come in again.

L. Ch. Just. Mr. Evans, I would ask you this Question, There was three times that you say, I think, that you had discourse with Edwards about the Matter, as you call it, once at Essex, and twice at the Custom-house?

Mr. Sol. Gen. No, not in Essex, it was Hatfel and Braddon, my Lord, that came to him there, Edwards was not there.

L. Ch. Just. When you first had a Discourse with Edwards about this Matter, what was it that Edwards did say to you?

Mr. Evans. Being upon Custom-house-Key, and Captain Goodland and several others standing upon the Key, that very morning my Lord of Essex's Throat was cut, about 11. a Clock Mr. Edwards came to us, being standing upon the Key, and told us, That he was informed his Boy had been at the Tower, and came home and told his Mother, He saw a Hand throw a Razor out of a Window, and that

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he went to take it up, and a Maid or a Woman came and took it up, and went in again.

L. Ch. Just. Evans, did he tell you this, as if he had been at home?

Mr. Evans. No, I think it was that he had it from home by some Hand or other.

Mr. Edwards. I was at home.

Mr. Evans. My Lord, at two a Clock in the afternoon, when he came again to the Custom House, he did tell us, he had been at home, and his Boy had told him the same Story.

L. Ch. Just. But when he told you before he had dined, did he say, He had been at home?

Mr. Edwards. My Family can testifie I was at home between 10. and 11. a Clock.

Mr. Evans. To the best of my remembrance he told me he heard so from home.

L. Ch. Just. Before he went home, you say, he told you of this, and that was 10. a Clock in the morning, and about 2. of the Clock in the afternoon, he said, he had been at home, and it was true.

Mr. Evans. Yes, my Lord.

Mr. Edwards. My Lord, I was at home.

L. Ch. Just. Mr. Edwards, did you tell him so, or did you not?

Mr. Edwards. It is like I might say so about 10. a Clock, but not before I had received the Report at home.

Mr. Evans. I understood it so, my Lord, That he had heard from home.

L. Ch. Just. Ask you this upon your Oath, mind the Question, and answer me plainly, Did you speak to him, that you had such a Report from home, or did you not?

Mr. Edwards. When I told him, I had it from home, for I brought it from home.

L. Ch. Just. Nay, did you tell him you had such a Report from home at 10. a Clock or no?

Mr. Edwards. I told him that I had met with such a Report.

L. Ch. Just. From whom?

Mr. Edwards. From my Family at home, for the Boy came not to me to tell it.

L. Ch. Just. Then did you see Mr. Evans about 2 a Clock that afternoon?

Mr. Edwards. 'Tis probably I did.

L. Ch. Just. Did you, or did you not?

Mr. Edwards. Yes, I believe I might. I beseech your Lordship give me leave to speak. Mr. Evans and I am conversant forenoon and afternoon every day, we have Business together.

Mr. Evans. We have Business, my Lord, about shipping off Goods.

Mr. Edwards. But, my Lord, if you please, I will tell you, that is the occasion of our being together.

L. Ch. Just. Answer me my Question, Did you or did you not tell him so?

Mr. Edwards. I did not acquaint him with it before I had been at home, and received it from my own Family.

L. Ch. Just. Look you Sir, Don't you go about to evade the Question, nor trifle with the Court, you must answer me my Question directly and upon your Oath, Did you tell him you had notice from home of such a Report, or no?

Mr. Edwards. I did not receive notice from home, but I brought it from home.

L. Ch. Just. Did you tell him you had it from home?

Mr. Edwards. I told him I had it from my Family, who told me the Boy had made such a Report.

L. Ch. Just. Did you tell him you had it from your Boy, or received notice from home about it?

Mr. Edwards. I did not tell him any thing before I had been at home.

L. Ch. Just.

L. Ch. Just. Well then answer me this question. Did you tell him in the afternoon at two a Clock, Now I have been at home and examined my Boy, and find it so as I told you?

Mr. Edwards. I examined my Boy at Dinner, and I found the Boy agreed with the Report of my Daughter, and confirmed it.

L. Ch. Just. I ask you what you told Mr. Evans, not what your Boy or your Daughter told you.

Mr. Edwards. It is probable I might tell Mr. Evans the same story after dinner at Two a Clock, that I did before.

L. Ch. Just. Now tell us the passage again, Mr. Evans, as you heard it.

Mr. Evans. To the best of my remembrance at two a Clock in the Afternoon Mr. Edwards came and told us he had examined the Boy, and says he, the Boy has confirmed all that I told you.

L. Ch. Just. But before that in the Morning what did he say?

Mr. Evans. I cannot say exactly the time, but I think it was about 10 a Clock. There were four or five more besides my self standing at Custom-house Key, and Mr. Edwards came to us and told us, says he, I am informed from home, as I understood it, not that he had been at home, but that he heard it from home, that his Boy being at the Tower had seen an hand throw a Razor out of a Window.

L. Ch. Just. What said he at two of the Clock?

Mr. Evans. He said he had examined his Boy, and he said the same thing, that he had told us he had heard in the morning.

Mr. Att. Gen. My Lord we are now but upon the Entrance of our Evidence, to shew upon what slender grounds, how slight a foundation there was for this Gentleman to undertake this Prosecution.

Mr. Sol. Gen. Mr. Edwards, pray let me ask you a question, Did Mr. Braddon tender any Paper to your Son to sign?

Mr. Edwards. I was informed he did do it afterwards, but I saw him not do any such thing.

Mr. Sol. Gen. Did you never say that Mr. Braddon had tendred a Paper to your Son to sign?

Mr. Edwards. I do not believe I ever did say so, I do not remember any such thing.

Mr. Sol. Gen. Pray recollect your memory and tell us, whether you did, or did not.

Mr. Edwards. I thank God Sir that he has given me my memory and my understanding, I bless him for it.

Mr. Att. Gen. But it were well if thou hadst any honesty too.

Mr. Edwards. And honesty too Sir: I have not lived these 39 years at the Custom-house without honesty: I never had my honesty questioned to this day. I am sure no body can tax me with dishonesty.

Mr. Sol. Gen. Pray Mr. Edwards let your anger alone for a while, and answer the question that I shall ask you: Did your Son refuse to sign that Paper?

Mr. Edwards. He did sign it at last.

Mr. Sol. Gen. Did he refuse to sign it?

Mr. Edwards. I do not know whether he refused it or no.

Mr. Just. Withins. Did you hear that your Son refused it?

Mr. Edwards. I did hear that he had signed it.

Mr. Just. Withins. But did you hear that he refused to sign it?

Mr. Edwards. The Boy did not tell me he had refused to sign it. I did not hear him refuse it.

L. Ch. Just. Thou dost prevaricate very strangely, I must tell thee that not-with-

withstanding thy reputation of 39. years of honesty : Pristhee answer plainly, Did you hear at any time, that your Son had refused to sign it ?

Mr. Edwards. No, my Lord, I did not to the best of my remembrance.

L. Ch. Just. That is a plain answer man. But thou dost so shuffle up and down, one cannot tell what to make of what thou sayst.

Mr. Thompson. Sir I desire to ask you one question. Whether ever *Mr. Braddon* and you had any former acquaintance ?

Mr. Sol. Gen. Pray stay Sir, and if you please, spare your Question a little, for we have not yet done with *Mr. Edwards*. *Mr. Edwards*, pray swer me, Did *Mr. Braddon* ever tell you, that he had other Informations to confirm this Report of your Son from others ?

Mr. Edwards. Truly I do not remember he said any such thing.

Mr. Sol. Gen. Did you ever say he told you so ? Consider of it, and remember your former Examination.

Mr. Edwards. 'Tis like since he may have said so, but not at his first coming.

Mr. Sol. Gen. At his first coming did your Son sign his Paper then ?

Mr. Edwards. No, he did not, as I am informed, I saw it not.

Mr. Sol. Gen. But afterwards you say *Mr. Braddon* did tell you, He had other Evidence to confirm it.

Mr. Edwards. It may be he might, I can't say it positively.

Mr. Att. Gen. You say he did not sign the Paper at his first coming ?

Mr. Edwards. No, I am informed he did not.

Mr. Sol. Gen. How do you know he did sign it at last ?

Mr. Edwards. My Wife and Daughters information.

L. Ch. Just. But how then can you say, that you never heard he did refuse it ?

Mr. Edwards. My Lord, he did not tender a Paper to him to sign till he had been 2. or 3. times there, as I have heard, it was not tendred the first time he came.

L. Ch. Just. I wonder how thou hast escaped 39. years with such a Reputation.

Mr. Edwards. My Lord, I never was thought otherwise, nor I hope never gave any occasion for such a Thought.

L. Ch. Just. Ple assure thee, I do not nor can take thee for one.

Mr. Edwards. I hope I have done nothing to make your Lordship think the contrary.

L. Ch. Just. Yes, thou hast. Thou didst nothing but shuffle up and down, thou art to consider thou art upon thy Oath, and must answer Questions plainly.

Mr. Edwards. My Lord, I do answer as truly as I can.

Mr. Att. Gen. Heark you then, *Mr. Edwards*, answer me.

L. Ch. Just. Speak the truth, and nothing but the truth, that is all that is required of thee ; no Court of Justice ought to be afraid to hear truth. Let truth come out of Gods Name.

Mr. Att. Gen. Did *Mr. Braddon* ever tell you, That he had other Evidence besides your Son ?

Mr. Edwards. I do not remember he said any such thing at his first coming.

L. Ch. Just. How thou dost shuffle again. Answer plainly.

Mr. Att. Gen. I ask you, whether ever he did say it ?

Mr. Edwards. Yes, he did say so afterwards.

Mr. Sol. Gen. I must ask you one Question more, (for I see 'tis very difficult to get it out of you) Pray did he tell you, that he had other Evidence besides your Son, before he signed the Paper or after ?

Mr. Edwards. It was before, as I take it. I speak to the best of my knowledge, my Lord, I can say no more.

L. Ch. Just. If thou hast a mind to continue the Reputation thou hast got, as thou

thou faist, the way is to answer Questions, and speak the truth plainly, let it concern whom it will.

Mr. Edwards. I labour to do it, my Lord, to the best of my Understanding and Capacity.

L. Ch. Just. I would not have thee say a tittle more than the truth, but let the truth come out.

Mr. Freke. Now Sir, I would ask you, if they have done with you, Did you ever know *Mr. Braddon* before the 17th. of July? Or did you ever see him before?

Mr. Edwards. No, I never had any knowledge of him, nor ever heard a word of him.

Mr. Wallop. *Mr. Edwards.* The Question was asked of you, Whether *Mr. Braddon* did say, There was other Evidence besides your Son; pray when was that?

Mr. Edwards. He did not at the first time, but afterwards he did.

Mr. Wallop. That was a good while after, he had been with the Boy first.

L. Ch. Just. Make your Observation by and by *Mr. Wallop.* This is not a time for them.

Mr. Att. Gen. Then where is *Edwards* the Boy? (*who was brought forthwith into Court.*)

Mr. Edwards. I charge you in the presence of Almighty God speak truth Child.

Mr. Sol. Gen. And so should you too.

Mr. Edwards. Be sure to say nothing but the truth.

L. Ch. Just. And Child turn about, and say, Father, be sure you say nothing but the truth.

Mr. Att. Gen. My Lord, This is the Boy, he is very little and very young; will your Lordship have him sworn? What Age are you of?

William Edwards. I am 13 my Lord.

Mr. Att. Gen. Do you know what an Oath is?

Will. Edwards. No.

L. Ch. Just. Suppose you should tell a Lye, do you know who is the Father of Lyars?

Will. Edwards. Yes.

L. Ch. Just. Who is it?

Will. Edwards. The Devil.

L. Ch. Just. And if you should tell a Lye, do you know what would become of you?

Will. Edwards. Yes.

L. Ch. Just. What if you should swear to a Lye? if you should call God to witness to a Lye, what would become of you then?

Will. Edwards. I should go to Hell-fire.

L. Ch. Just. That is a terrible thing. And therefore Child, if you take an Oath, be sure you say nothing but what is truth, for no Party, nor Side, nor any thing in the World, for that God that you say will call you to account, and cast you into Hell-fire, if you tell a Lye, and witness to a Falshood, knows and sees all you do, therefore have a care, the truth you must say, and nothing but the truth.

Cryer. Pull off your Glove, and hearken to your Oath. (*Then he was sworn.*)

Mr. Sol. Gen. And now remember you call God to witness to the truth of what you say.

Mr. Att. Gen. Young man, look upon that Paper, is that your Hand?

Will. Edwards. Yes.

Mr. Att. Gen. Did you sign that?

Will. Edwards. Yes.

Mr. Att. Gen. Prithce tell the Court, how thou camest to sign it?

L. Ch. Just. Ay, Child be not afraid. Tell the truth, for if thou tellest the truth, thou needest not be afraid, but if thou tellest a Lye, thou hast need to be afraid; let no body, whatever has been said to thee, affright thee from telling the truth.

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Mr. Sol. Gen. Don't be afraid of thy Father or any body, but tell plainly what thou knowest, and speak only the truth.

Mr. Att. Gen. How come you to sign that Paper?

Will. Edwards. Mr. Braddon bid me sign it when he had writ it.

L. Ch. Just. Hearn thee Child, Did he take it from thee what he writ, or did he write it from himself? Come hither Child, be not afraid, no body here will do thee any hurt.

Then the Boy was lifted up upon the Table before the Judges.

L. Ch. Just. Look upon that Paper, didst thou put thy Name to that Paper, Child?

Will. Edwards. Yes.

L. Ch. Just. Whose Hand-writing is that Paper besides thy Name?

Will. Edwards. Mr. Braddon's.

L. Ch. Just. Did he bring it ready written?

Will. Edwards. He writ in our Parlour.

L. Ch. Just. How came he to write it?

Will. Edwards. He said it was for the Earl of *Essex* to give to his Wife.

L. Ch. Just. And what did he ask thee before he writ that?

Will. Edwards. He asked me, whether I saw any thing at the Tower, and so I told him, Yes.

L. Ch. Just. Ay, tell us what you told him, and be not afraid Child, but tell the truth.

Will. Edwards. I told him I was in the Tower, and saw a Razor thrown out of a Window.

L. Ch. Just. You told him so, and then what said he to you?

Will. Edwards. He bid me speak the truth.

L. Ch. Just. Was that all the words you had?

Will. Edwards. I afterwards went with my Brother into the Tower, and I shewed my Brother the Place, and then afterwards Mr. Braddon writ this, and he said it was to give to the Countess of *Essex*.

Mr. Just. Holloway. Did he read it to you after he had writ it?

Will. Edwards. Yes.

Mr. Just. Holloway. And did he ask thee, whether it were true?

Will. Edwards. Yes.

L. Ch. Just. And didst thou tell him it was true?

Will. Edwards. Yes.

L. Ch. Just. And didst thou tell him all that was in that Paper was true?

Will. Edwards. Yes.

L. Ch. Just. Did you tell him all that was writ in that Paper before he writ it down.

Will. Edwards. Yes.

L. Ch. Just. Prithee mind the Question, and speak truth, Didst thou tell him all that was in that Paper before he writ it down?

Will. Edwards. Yes, I told him, and so he writ it down.

Mr. Just. Holloway. You heard it all read to you, you say?

Will. Edwards. Yes.

L. Ch. Just. Then I ask you again, Did you tell him all that was in that Paper that was read to you, before he writ it down?

Will. Edwards. Yes.

L. Ch. Just. And after you had told him, he writ it down?

Will. Edwards. I told him as he writ it down.

L. Ch. Just. And after such time as he had writ it down, did he read it to you?

Will. Edwards. Yes.

L. Ch. Just. And then you put your Name to it?

Will. Edwards. Yes.

Mr.

The Tryal of Laurence Braddon and Hugh Speke, Gent. 19

Mr. Att. Gen. I pray, my Lord, he may be asked this Question, Whether or no when he first brought it in, the Boy did not deny to sign it?

L. Cb. Just. Did he bring the Paper thither before thou signedst it?

Will. Edwards. It was upon the Table.

L. Cb. Just. Didst not thou refuse to put thy Name to it?

Will. Edwards. Yes.

L. Cb. Just. Why?

Will. Edwards. I was afraid.

L. Cb. Just. Why?

Will. Edwards. For fear of coming into danger.

L. Cb. Just. Why, what danger could there be? There was no danger if it was truth.

Will. Edwards. That was not the truth.

L. Cb. Just. Which was not the truth? Was not the Paper that he had written, truth?

Will. Edwards. No.

L. Cb. Just. How so, Child? Was not that thou toldest him the truth?

Will. Edwards. No.

L. Cb. Just. Tell the truth now then.

Will. Edwards. So I do.

Mr. Sol. Gen. Then he offered it first to you, and bid you sign it, and you denied to put your hand to it, because it was not true?

Will. Edwards. Yes.

L. Cb. Just. And how long after did he offer it to you again?

Will. Edwards. A little while after.

L. Cb. Just. But did you tell Mr. Braddon it was not true, when you refused to sign it?

Will. Edwards. No, I did not.

L. Cb. Just. Why didst thou refuse to sign it then?

Will. Edwards. I was afraid because it was not true.

L. Cb. Just. Didst not thou tell Mr. Braddon it was not true?

Will. Edwards. I did not tell Mr. Braddon it was not true.

L. Cb. Just. Why then wast thou afraid to sign it because it was not true at one time, and yet didst sign it tho' it was not true, at another time?

Mr. Sol. Gen. Child, Didst thou give Mr. Braddon any reason, why thou didst not sign it at that time?

Will. Edwards. No, Sir.

Mr. Sol. Gen. How didst thou come to sign it? Did any body speak to thee between that first time thou refusedst to sign it, and the second time thou didst sign it?

Will. Edwards. He would fain have got my Aunt to have signed it.

L. Cb. Just. Thou sayst thou didst first refuse it, because it was not true?

Will. Edwards. Yes.

L. Cb. Just. And then afterwards thou didst sign it?

Will. Edwards. Yes.

L. Cb. Just. Then I ask thee, who perswaded thee to sign it after that time that thou first refusedst it?

Will. Edwards. My Mother was afraid to have me sign it.

L. Cb. Just. Who perswaded you to sign it?

Will. Edwards. Mr. Braddon said, there was no harm in it, so I did it.

L. Cb. Just. Did Mr. Braddon then perswade you to sign it?

Will. Edwards. He said there was no harm in it, that was all.

L. Cb. Just. Did you do it at his desire?

Will. Edwards. Yes.

L. Cb. Just. And you refused it at first when he desired it?

Will. Edwards. Yes.

L. Cb. Just. What, because it was false?

Will. Edwards. Yes.

L. Cb. Just. Why then wouldst thou sign it afterwards, if some body did not perswade thee to it?

Will. Edwards. He told me there was nothing of harm in it.

Mr. Att. Gen. Hadst thou any money offered thee by Mr. Braddon?

Will. Edwards. No.

Mr. Att. Gen. Hadst thou any money promised thee?

Will. Edwards. No.

Mr. Att. Gen. Hadst thou any thing else offered or promised thee?

Will. Edwards. No, nothing at all.

L. Cb. Just. You have heard what he has said, Gentlemen.

Jury. No, my Lord, we have not heard a word.

L. Cb. Just. Then I will tell you what he has said exactly. He says that Mr. Braddon writ it from him; that he writ it in the Room while he was there; that after such time as he had writ it, Mr. Braddon read it to him: He says, that he had carried his Brother to shew him the place where he assigned that the Razor was found in the Tower, he says, that after such time as the Writing was finished, Mr. Braddon offered it him to sign, and he refused

to sign it, and I asked him the reason why, and he says because it was false; he says some short time afterwards Mr. Braddon came to him again.

Will. Edwards. No, Sir, it was the same time.

L. Ch. Just. Well, the same time Braddon was at him again, and told him there was no harm in it, and therefore desired him to sign it, and because he would not, he would have had his Aunt to have signed it; and he says, that Braddon telling him there was no harm in it, he did sign it.

Mr. Sol. Gen. But withal he says that it is false.

L. Ch. Just. Ay, he swears now 'tis all false.

Mr. Freke. Did you tell Mr. Braddon it was false?

L. Ch. Just. No, he says he did not.

Mr. Freke. Did your Sister at all discourse with you after you had dictated to Mr. Braddon? Pray what discourse had you with her, after Mr. Braddon writ that Paper, before you refused to sign it?

L. Ch. Just. Do not ask any leading Question, Sir, but propose a fair plain Question.

Mr. Freke. Did you discourse with your Sister at all, after Mr. Braddon had been at your house?

Will. Edwards. Yes, I had been at School, and when I came home they said that a Gentleman that came from the Earl of Essex's Brother, had been to inquire of the truth of the Report I had raised.

Mr. Freke. What did your Sister say to you?

Will. Edwards. That was all.

Mr. Sol. Gen. Did she name the Gentleman, and did you see him afterwards?

Will. Edwards. Yes.

Mr. Sol. Gen. Who was it?

Will. Edwards. That Gentleman, Mr. Braddon.

Jury. My Lord, We don't hear a word he says.

L. Ch. Just. He says, he had been at School, and when he came home, they told him a Gentleman came from the Earl's Brother, to inquire of the truth of what he had reported: It was asked him who the Gentleman was, and he says it was that Gentleman Mr. Braddon.

Mr. Thompson. Before such time as Mr. Braddon came to you, what did you tell your Father about this Razor, and when?

Will. Edwards. Sir, I told him the King and Duke of York were at the Tower, and while I was there, I said I saw a Hand cast out a bloody Razor, and a Maid come out and take it up, and go in again.

Mr. Thompson. Did you see any such thing as a Bloody Razor cast out?

Will. Edwards. No.

L. Ch. Just. What a dust has such a trivial Report made in the world! Admit the Boy had said any such thing, what an Age do we live in, that the Report of every Child shall blow us up after this rate? It would make a body tremble to think what a sort of people we live among: To what an heat does Zeal transport some people beyond all reason and sobriety? If such a little Boy had said so, 'tis not an half-penny matter, but presently all the Government is to be libell'd for a Boy, which whether he speaks true or false is of no great weight, and he swears 'tis all false.

Mr. Sol. Gen. My Lord, We shall next call Dr. Hawkins's Son of the Tower. Where is Thomas Hawkins?

(who was sworn.)

Mr. Att. Gen. My Lord, Agreeable to what the Boy has now said, to shew you that what Mr. Braddon got him to sign was all false, here is the young man that truanted with him the same morning, that was with him all the time, the whole morning, that says there was no such thing, and he saw no such thing; and how could it enter into the Boys head such a malicious lye, if it had not been dictated. Pray, Mr. Hawkins, will you acquaint my Lord and the Jury, whether you play'd Truant that morning with this other Boy, and where you were.

L. Ch. Just. Ay, Tell the truth in Gods name, Young Man, be it one way or t'other, let the truth come out.

Hawkins. In the morning, Sir, I met with him at the Tower, going round with the King, and we walked round the Tower as long as the King walked, and then the King going into the Constables house, we and some more Boys were playing

L. Ch. Just. Pristhee speak out, as though thou wert at play at Chuck-farthing.

Hawkins.

Hawkins. After we had been at play, I went home, and after I had been there a little while, news was brought to my Father, that the Earl of *Essex* had killed himself. My Father went down, and I followed him, and after I had been there a little while, *William Edwards* came home, and there we stood looking up at the Window an hour or two at least, and after we had tarried there a great while, I went out of the Tower Gate a little after 11.

Mr. Att. Gen. Was there no Razor thrown out of the Window?

Hawkins. No, there was no Razor thrown out.

L. C. J. Didst not thou see a Razor thrown out of the Window? and a Maid come and take it up?

Hawkins. No, there was no such thing.

L. C. J. Were you there before *Edwards* came?

Hawkins. Yes. *L. C. J.* And you went out with him?

Hawkins. Yes. *L. C. J.* Did you and *Edwards* go away together?

Hawkins. Yes. *Mr. Thompson.* Did he tell you of any such thing?

Hawkins. No. *Mr. Sol. Gen.* What time of the day was it that you went out of the Tower?

Hawkins. Almost 11 a Clock.

Mr. Wallop. The Boy does say, he did tell his Father and Mother, and all the Family of it. And 'tis plain by the Father that it was known in the Family by 10 of the Clock.

Mr. Att. Gen. Was this young man with you all the time that you was there, *Edwards*? *William Edwards.* Yes.

Mr. Att. Gen. Did not you tell your Father of this Story when you came from the Tower? *William Edwards.* Yes.

Mr. Att. Gen. And that was the same time you came out of the Tower with *Hawkins*? *William Edwards.* Yes.

Mr. Att. Gen. And you *Hawkins*, was this young man with you all the time you were at my Lord *Essex's* Window?

Hawkins. He came thither while I stood there.

Mr. Att. Gen. My Lord, This is but the beginning of our Evidence, your Lordship sees what a fine Case it is, and how all this noise and bustle has come to be made in the World. The Rumour first did arise in a Fanatick Family, and was propagated by that Party.

Mr. Jones. Ay, 'tis easily known whence it came!

L. C. J. Gentlemen, pray will you go on with your Evidence, and make no descants.

Mr. Freke. You *Hawkins*, when you came from your Fathers house, did you find that Boy in the Tower?

Hawkins. Yes Sir, a going round with the King.

L. C. J. That was before this thing happened.

Mr. Freke. Were you with him all the while he was in the Tower?

Hawkins. Just before my Lord *Essex* cut his Throat I went home.

Mr. Freke. Were you with him all the time or no? And how long were you with him?

Hawkins. I went with him round the Tower with the King. And after we were at play, and then I went home, and then when I had been at home a little time, the rumour and noise came that the Earl of *Essex* had killed himself, so I went with my Father and stood before the Window, and I tarried there a while before he came home, and I stayed with him looking at the Window a great while, and we went out of the Tower together.

Mr. Freke. You little Boy *Edwards*, was this *Mr. Hawkins* with you all the time that you were in the Tower?

The Tryal of Laurence Braddon,

William Edwards. Yes, but only a little while that I was at the Mills.

Mr. Att. Gen. My Lord, We had not laid so much weight upon Mr. Braddon for this matter, but that he could not be quiet, but must inform the King of it, and this matter was all examined before the King, the Boy was sent for, and before his face the Boy declared it was a Lye. And after he knew this, and after the Boy had twice in the presence of the King denied it, yet notwithstanding all this, then was the Project between him and Speke. We shall first prove the Examination of this matter before the Council, and how he was acquainted with it. Pray call Mr. Blathwaite and Mr. Mon-Stevens.

Mr. Blathwaite was Sworn.

Mr. Att. Gen. Pray Mr. Blathwaite will you give an account whether you were present at the Council, when Mr. Braddon brought this Information, and how the matter was Examined there, and what was done?

Mr. Blathwaite. My Lord, It was on the 20th of July that Mr. Braddon came to White-hall, he may remember I was there, for he could not but see me attending on the King. This little Boy was brought before his Majesty, and was asked what Information he had given Mr. Braddon? And whether the Matter of the Information was true? The Boy said it was a Lye, and that upon his faith it was not true. Mr. Braddon knew all this, for he was called in and informed of it; and I believe Mr. Braddon will remember that he heard the Boy deny it. The whole Examination could not but shew that it was an Invention of his, as he said it was to excuse himself for having plaid Truant that day, and that because he was afraid to go home he invented that Lye. After this Mr. Braddon as it appears did nevertheless pursue this business.

L. C. J. Pray only tell what you know of your own knowledg, both before and after.

Mr. Blathwaite. I know my Lord that Mr. Braddon (having been in the Country) came afterwards before the King, and was again Examined upon this matter by which it appeared that he did continue in his pursuit, though he was always informed of the denial the Boy made, and that it was understood to be a Lye by the whole Family of the Edwards's, as well as from the denial of the little Boy; for they did confess that the Boy used to tell Lyes, and one of the Sisters said he had denied it at first, but afterwards was brought to say it. And if I remember right the words of one of the Sisters were, **BRADDON COMPELLED THE BOY TO SIGN IT.** Those are the words in the Minutes that I took at the Examination, therefore I believe it was so, that the Boy had denyed before to sign it. But this I only mention as what the Sister said.

L. C. J. Have you any more questions to ask Mr. Blathwaite Gentlemen?

Mr. North. Because we will not trouble Mr. Blathwaite to call him again; pray produce the Letter.

Mr. Att. Gen. Pray Sir, will you look upon that Letter and tell the Court what you know of it, and whose hand it is.

Mr. Blathwaite. My Lord, this is a Letter that was produced before the King, when Mr. Speke attended there. It was then put into my hands; and I do well remember, and likewise I have written upon it, that Mr. Speke owned it to be his Letter.

L. C. J. Did he own it to be his Letter Sir?

Mr. Blathwaite. Yes, he did own it to be his Letter.

Mr.

Mr. Att. Gen. That is all we have to trouble you with at present Sir, We will now call Mr. Mon-Stevens. (who standing up by the Crier was sworn.) And we call him to prove, That Mr. Braddon had notice the Boy had disowned this Matter.

Mr. Sol. Gen. You hear the Question, Sir, pray acquaint my Lord and the Jury, what you know of this Boys Examination before the Council, and this Gentleman's having notice the Boy disowned the thing.

Mr. Monstevens. My Lord, About 5 or 6 days after my Lord of Effex had murdered himself in the Tower, I saw Mr. Braddon at the Secretary's Lodgings, my Lord Sunderland's Lodgings at White-hall, with a young Woman, and a Boy about 12 or 13 years old. The Boy was just now in Court, I saw him there. He came to me, and told me, he had earnest Business to speak with my Lord Sunderland, That he came from Sir Henry Capell, and he told me, he came with an Information, That the Boy had given relating to the Earl of Effex's death. (The Information I believe is in Court.) He gave me the Information, and I read it, and I remember, there was something in the Information of a Razor thrown out of a Window, a bloody Razor thrown out of my Lord Effex's Window, and after I had read the Information, I told Mr. Braddon, I wonder Sir Henry Capell had not appeared himself in a Matter of that moment, wherein the Reputation of his Family was so much concerned, and I took the liberty to tell him, That I believed if Sir Henry Capell had thought that to be true, that was contained in that Paper, he would doubtless have come to my Lord Sunderland himself. Thereupon, he told me, That Sir Henry Capell had not been well, and did not stir abroad. Then I told Mr. Braddon again, as I very well remember, That I was confident, he had been abroad lately, and had been to wait upon the King, since the death of my Lord of Effex. Then, my Lord, he had little or nothing to say to that, but, he said, what he did, he was obliged to do in Conscience, and out of the Duty he owed to the Memory of my Lord of Effex. Upon that, my Lord Sunderland came by, and I went with him to my Lord Sunderland, and he gave him that Paper, as I suppose, which I read, and my Lord Sunderland took the Information, and afterwards Mr. Braddon was committed in Custody, and then the thing was brought before the King, and the Lords of the Council, which Mr. Blathwaite has given you an account of.

Mr. Att. Gen. My Lord, I pray that a word of the Information may be read, we will first prove the Information taken by him, and then call Sir Henry Capell, who will prove that he never had any Order from him, as he said he had, but it was only his own busy Inclinations.

Cl. of Cr. This is Subscribed, William Edwards.

L. C. J. Call the Boy in again.

Mr. Braddon. May I ask Mr. Monstevens a Question, My Lord?

L. C. J. Ay. ask him what you will.

Mr. Braddon. Sir, Did not I come to you the Thursday Evening, and waited at the Dutche's of Portsmouth's Lodgings, before I brought the Boy and the Girl to White-hall?

Mr. Monstevens. No, I did not see you there.

Mr. Braddon. You are positive in that Sir?

Mr. Monstevens. Yes, I will take my Oath again of it, if you will.

Mr. Braddon. Then I will prove I was, and that I saw you at Ten of the Clock that Morning.

Mr. Monstevens. I remember, my Lord, very well, That I was surprized to

to see him at the Lodgings at *White-hall*. I never saw him to the best of my remembrance, but once in my life.

Mr. Braddon. What time was it, pray, you first saw me?

Mr. Monstevens. It was in the Afternoon, as I remember.

L. C. J. Hark you young Man, do you know my Lord Gerard?

Wil. Edwards. Yes.

L. C. J. Which Lord Gerard do you know?

Wil. Edwards. My Lord Brandon Gerard.

L. C. J. How came you to know him?

Wil. Edwards. By sight I know him.

L. C. J. Do you know where he lodged in the Tower?

Wil. Edwards. Yes. *L. C. J.* Where?

Wil. Edwards. At one Mr. Sam's.

L. C. J. Was you ever in his Lodging? *Wil. Edwards.* No.

L. C. J. Never at all? *Wil. Edwards.* No.

L. C. J. Did you never tell any body you were in my Lord Brandon Gerard's Lodgings? *Wil. Edwards.* Never in my life.

L. C. J. Did you never tell Braddon, that you went to see his Lodgings?

Wil. Edwards. Into the House I never went.

L. C. J. Did you never tell Braddon, That you went to see my Lord Brandon Gerard's Lodgings? Never in your life?

Wil. Edwards. No, Sir. *L. C. J.* Now read it.

Cl. of Gr. Reads.—The Information of *William Edwards*, second Son to *Thomas Edwards*, of the Parish of *Albanelles Barkin*, *London*, taken the 18th day of *July*, in the 35th year of the Reign of our Sovereign Lord King *Charles the 2d.* Anno 1683, says: That this Informant on *Friday* the 13th of this instant *July*, as he was going to School, with his Brother *Edward*, he heard that his Majesty, and his Royal Highness the Duke of *York*, were going to the Tower. Whereupon this Informant left his Brother, and went to the Tower to see his Majesty, and his Royal Highness. And when this Informant had seen his Majesty and his Royal Highness, this Informant about Nine of the Clock in the Morning of the same day, went to see my Lord Brandon Gerard's Lodgings; and as this Informant was standing almost over against my Lord Gerard's Lodgings, between the Lord Gerard's, and the late Lord of *Essex's* Lodgings, this Informant saw a Hand cast out a bloody Razor out of the said Earl of *Essex's* Lodgings. And this Informant was going to take up the said Razor, which he saw on the Ground to be bloody, but before this Informant came to the Razor, there came a Maid running out of Captain *Hawley's* house, where the said Lord of *Essex* lodged, and took up the said Razor, which he carried into the said Captain *Hawley's* House. And this Informant, believes that it was the said Maid, who he first heard cry out Murder. And this Informant further saith, That he heard the said Maid, say to some which were about the Door, after the Murder was cryed. That she did hear the said Lord of *Essex* to groan three times that Morning. The Father, three Sisters and Brother will swear, That the said *William Edwards* did declare the substance of this Information to them on *Friday* the 13th instant, and never in the least denyed it till *Tuesday* after, when being chid and threatned by the elder Sister, he did deny it, but soon after confessed it, and signed it in the presence of five or six Witnesses.

Mr. Just. Wythins. Thus you see, he perswaded him to tell a fine Story, of going to see my Lord Brandon Gerard's Lodgings, but the Boy never told him any such thing.

L. C. J.

L. C. J. No, he never told him a word of it, he swears.

Mr. Att. Gen. My Lord, your Lordship has heard from *Mr. Monstevens*, That this Gentleman *Mr. Braddon* made use of the Name of an honorable Person *Sir Henry Capell*, and so at the Secretarys and at *Edward's* house, made use of the Name of my Lady *Effex*. We shall now call *Sir Henry Capell* (who was Sworn) *Sir Henry Capell*, Will you please to give an account; Whether ever you employed this Gentleman *Mr. Braddon* about any such business as he has here undertaken?

Sir H. Capell. I hope you will give me as short a dispatch as you can Sir, for 'tis very uneasy for me to be here in this Crowd.

Mr. Sol. Gen. We give you some trouble *Sir Henry*, but indeed 'tis not we, but this Gentleman that has been pleased to use your Name has necessitated it.

Mr. Att. Gen. We ask you a short Question, whether you employed *Mr. Braddon* to go to *Mr. Edward's* House or to the Secretarys or any where else to prosecute this matter of your Brothers death?

Sir H. Capell. My Lord, I know very little of *Mr. Braddon*. He was to speak with me twice. The first time he took me in very great disorder, both as to the circumstance of Time and Place which are so tender with me, that truly I cannot express nor do I very well know what I did say or what he said to me, but the Second time he came to me, I do very well remember what I did say. And that which I did say the Second time is the most material Thing I have to say in the matter. He came to me and spake of such a business as the Court is well apprized of already (I hope you will pardon me if I do not repeat it) I made answer to him. *Mr. Braddon* I am under great grief and under a great burthen of Business in my private Family, whatsoever you have to say in the matter, I desire you would go to a Secretary of State and acquaint him with it. This is the most material Thing that was said that I remember.

Mr. Att. Gen. But you never employed him to go about to prosecute any such thing?

Mr. J. Withins. *Sir Henry*. Pray answer me, Did you desire him to go to *Edward's* House and ask him any Questions about it?

Sir H. Capell. I know nothing of *Edward's* nor his House at all.

Mr. Braddon. *Sir H. Capell*, will you please to let me ask you one Question, Do you not remember I came to *Effex* House on the Monday night, and that I came and told you of such a Report, and that I had not been with the Father of the Boy as yet, but if you would then send one with me I would go, and in his presence examine the Boy, and you Sir promised me that you would, and whether you did not appoint me to tarry at such a Place where you promised to send one to go along with me?

Sir H. Capell. My Lord, I have a gross Idea of that which he speaks of concerning his having one to meet him, and that I told him such an one should meet him, and the person did desire to be excused, and I did excuse him, and so he did not go, upon which this Gentleman *Mr. Braddon* came to me the Second time which was after Dinner, and I directed him to go to a Secretary of State and acquaint him with what he had to say in the business.

Mr. Braddon. Did not you promise Sir, to send one to me to go with me, and desired me to meet at such a place?

Sir H. Capell. I remember no more but what I have said.

H

Mr. Braddon.

Mr. Braddon. Upon the Oath you have taken, Sir *Henry Capell*, I desire you would recollect your Memory, whether you did not promise me in the Morning to meet at such a Place, and was not I twice with you that day?

Sir *H. Capell*. Sir I know no more.

Mr. *J. Withins*. Do you think, Sir *Henry Capell* would forswear himself, Mr. Braddon?

Mr. Braddon. My Lord, I only desire him to recollect his Memory.

Sir *H. Capell*. Only I do farther remember, He seemed to be very willing to go to the Secretary of State.

Mr. *Att. Gen*. And if he had acquiesced there he had done very well, and there had been no farther trouble.

Mr. *Jones*. But that was not the way he intended, that would not do his Work.

Mr. *Sol Gen* Pray, Mr. *Blaithwaite*, do you give my Lord and the Jury an accompt, whether this Information was ever carried before any Justice of Peace in order to have it sworn before him, and the circumstance of it.

Mr. *Blaithwaite*, My Lord, I do very well remember, when this Information was before the King and was shew'd to Mr. Braddon, he there confessed That he had gone about to find some Justice of Peace to take it upon Oath. He named Sir *Robert Clayton*, and Sir *John Lawrence*. And I do very well remember and 'tis upon my Minutes, That he confessed That Sir *Robert Clayton*, being asked by him to take the Information in private alone without Company being by Sir *Robert Clayton* refused to take it unless he might take it more publickly, and Sir *Robert Clayton*, refusing to take it alone, in private, he would not let him take it at all, but went away with it. I remember, this for Sir *Robert Clayton* and it may be Mr. Braddon may remember the same of Sir *John Lawrence*, but I can't tell that.

Mr. *Att. Gen*. My Lord, Now we are come to the 20th of July when this business was heard before his Majesty, and the Boy declared it was a Lye, and then he had full notice it was a Lye. But after this Mr. *Speke* and he consult together, and he must be sent as an Emisary into the Country to pick up Informations and Evidences and with this and some other Informations in his Pocket to possess the People That the Government had Murdered my Lord of *Essex*. And he must be sent I know not how far, as if the further he went from London the better Intelligence he was like to have of a thing done at the Tower. The Justice of Peace that took him was summoned, but is since dead. But we will call the Persons that were present when he was taken, where is Mr. *Beech*? (He was Sworn) Mr. *Beech*, will you acquaint the Court and the Jury with the manner of apprehending this Gentlemen and what Papers were found about him?

Mr. *Beech*. My Lord, I was present when Mr. Braddon was apprehended in *Wiltshire* and several Papers were found upon him, and upon Examination he was committed to the County Goal, and from thence removed by *Habeas Corpus* hither up to London. I have Copies of all the Papers that were taken about him, which I Examined with the Originals. The one was the Copy of a Letter sent by one *Speke* to Sir *Robert Atkins*, and there were other Papers in the nature of Informations, another was a Letter to one *Compton* Post-Master at *Frome*. Mr. Braddon upon his Examination said, his business was to enquire after the Murder of the Earl of *Essex*, and that one Mr. *Burgis* had sent him a Letter to this purpose, That it was reported at *Frome* that very day the Earl of *Essex* cut his own Throat

Throat, that he had so done, the news of which could not so soon come down thither.

Mr. Att. Gen. Pray speak out Sir. Tell what his business he said was, and as to the Letters he had about him, tell us what he said.

Mr. Beech. He told me that he had a Letter from one Mr. Burgis of Marleborough to go to one Compton at Frome who is Post-Master there, to inquire about a Report, that it was said was reported in Frome the 13th day of July, the same day the Earl of Essex Murdered himself, that he was Murdered. Mr. Braddon had that Letter about him. I went afterwards to that Compton at Frome, he said he never heard any thing of it, or that there was any noise of the Earl of Essex's Murder until the Sunday following, which was two or three days after. From thence I went to my Lord Weymouth a Person of Quality, that lives near Frome, and acquainted his Lordship with it, and he then said that he had an account on the Sunday of My Lord of Essex's Murder, and he believed that was one of the first Letters of it that was in the Country.

Mr. Att. Gen. Are these the Papers you found about him, Sir?

Mr. Beech. I Examined these Copies with the Originals, and they were true Copies.

Mr. Att. Gen. Well, put them in.

Mr. Beech. Truly Mr. Braddon gave a very ill accompt of his Journey to those that did Examine him.

Mr. Att. Gen. Pray look upon those Papers that are the Originals.

Mr. Beech. One Col. Ains was the Justice of Peace, before whom Mr. Braddon was Examined, and by whom he was Committed, he is since dead, but I do believe this was the Original Letter that was taken about Mr. Braddon.

L. J. C. Do you believe that was the Original?

Mr. Beech. I do, I have a true Copy of it.

Mr. Att. Gen. Besides we will prove it otherwise to be Mr. Speke's hand. It was proved by Mr. Blathwaite that Mr. Speke upon his Examination did own it, what say you Mr. Blathwaite?

Mr. Blath. He did own it. And said in these words, as I remember, he believed it to be his hand.

Mr. Att. Gen. What that Paper?

Mr. Blathwaite. Yes, and I have put my hand upon it, That it was owned by him.

L. C. J. Read it.

Cl. of Cr. This is subscribed by Hugh Speke, and dated London Lincoln's Inn August 15th. 1683, Wednesday Night 10 a Clock, and directed, For the ever Honoured Sir Robert Atkins Knight of the Bath, at his House at Netherwell near Stow on the Old in Gloucester-shire.

Honoured Sir,

The Bearer hereof is one Mr. Braddon, a very honest Gentleman, whose Father has at least eight Hundred per Ann. in Cornwall; It seems it is his Fate to be the only Person that follows, and Prosecutes the Murder of the Earl of Essex, and he has made a very considerable discovery already of it, notwithstanding the hard Stream he rows against, as things stand and are carried on at present. But indeed I think it could never have fallen on so fit a Man, for he has been a very hard Student, and is a Person of a very good Reputation, Life and Conversation and has a great deal of Prudence, and has as much Courage as any one living whatsoever. He went away on a sudden hence Post towards Marleborough to make some farther discovery, and what he has discovered he will give you a full accompt, and of all the Transactions hitherto above it. I lent him my Man to go with him for fear he should come to any mischief, for most here fear that he will be either stabbed or knock'd in the head, if he do not take great care of himself, seeing he came into these parts I thought

The Trial of Laurence Braddon,

thought it not amiss to go and advise with you how he had best to proceed in it, and I did charge him not to let anybody know who he was, that it might not be known that he had been with you; For I would not for the whole World that you should come to any prejudice in the least for your kindness towards us. For we labour under many difficulties as the Tide runs at present.

Pray call Mr. Braddon by the name of Johnson when he is with you, I have given him the same Name. We hope to bring on the Earl of Essex's Murder on the Stage before they can any of those in the Tower to a Trial. He being in great haste I have not time to write more, but to assure that Mr. Braddon is a Person of great Integrity and Courage that no body needs fear to trust him. I was very willing that he should take your advice in this Case which is of so great a moment, seeing he came within twenty or thirty Miles or thereabouts of your House. He will give you a full and clear Relation of every thing in that Affair, and how hard they have been upon him. Sir Henry Capel told him, that it was a thing too great for him, &c. All which Mr. Braddon (that you are to call Johnson whilst he is with you at your house) will give you a true Relation of. Mr. Braddon hath been at a great Trouble and Charge already about it; I know few that would have ventured to have undertaken this Affair besides himself as times go. I received yours this day, with the great pains you took, and the Letter to the Lady Russel which finding unsealed I sealed, without looking into it, and carried it my self; she returns you ten thousand thanks, and says, she knows not what return to make you for your most extraordinary kindness. I have not time to write any more at present by reason that Mr. Braddon alias Johnson stays only for this my Letter. I am Sir,

Your most obliged Friend and
most humble Servant,

I am Writing a Letter to send
to you by the Carrier.

Hugh Speke.

Mr. Att. Gen. This Gentleman brings in Mr. Speke to be the Author of all this Contrivance. But we shall prove to you, That at the same time, this Letter was taken about him, this Gentleman had others that were likewise taken. These Examinations which I desire may be likewise read.

Mr. — My Lord, I came lately from Sir Robert Atkyns, He is an utter Stranger to all this, he is now in the Country and knows nothing of it.

L. C. J. If they will use his Name I can't help it.

Mr. — My Lord, I would not have any Reflection upon him, for he knows nothing at all of this matter.

Mr. Sol. Gen. The Letter was never received by Sir Robert Atkyns, but taken before it came to him.

Mr. Att. Gen. All the matter is, 'tis an unhappy thing to be thought well of, by such sort of people.

L. C. J. I see nothing of Sir Robert Atkyns in the Case, but only his Name is used and notice is taken of the great Obligations some People have to him, for his great kindness to his Friends.

Cl. of Cr. Here is an Information.

L. C. J. Was this found about him too?

Mr. Beech. Yes, I believe that is the very Paper, I have no Copy of that Paper, but I well remember the Contents of it.

Mr. Att. Gen. Did you sign it or mark it?

L. C. J. He may believe it to be without signing.

Mr. Beech. I presume Mr. Braddon will own it.

Cl. of Cr. The Information of Mrs. Edwards, Wife to Tho. Edwards saith, That about 10 of the Clock in the Morning on Friday the 13th of this Instant July, this Informants youngest Son William Edwards aged about 13 years, came trembling to this Informant and in great amazement and horror told

told this Informant, that the Lord of Essex had cut his Throat in the Tower, and further said, That he the said William Edwards in the Morning about 9 of the Clock, did see a hand cast out a Razor out of the said Lord of Essex's Lodging Window, which Razor he saw on the Ground to be bloody. And the said William Edwards was going to take up the said Razor, but before he came to it, there came a Maid running out of Captain Hawley's House where the said Earl of Essex lodged, and took up the Razor, which she the said Maid forthwith carried into the said Captain Hawley's House, and soon after he the said William Edwards heard her, as he the said William Edwards did believe, cry out Murder. And this Informant further saith, That the substance of which the said William Edwards hath sworn in this Information, be the said William Edwards on Friday last did declare to, this Informant and her whole Family, several times attesting it to be true, and several times since.

Cl. of Cr. Here is the Information of William Edwards, second Son of Thomas Edwards. Mr. Att. Gen. That is the same with what was read already. L. C. J. Ay, that is the Boys Information.

Cl. of Cr. Here is another, 'tis Dated August the 8th, 1683. The Information of Jane Lodeman aged about 13 years, did in the presence of these, whose names are here under written, declare as followeth, That the said Jane Lodeman was in the Tower on Friday Morning, the 13th of July last, and standing almost over against the late Earl of Essex's Lodging Window, she saw a hand cast out a Razor out of my Lord's Window, and immediately upon that she heard Shrieks, and that there was a Souldier by my Lords door, which cried out to those within the house, that somebody should come and take up a Razor which was thrown out of the Window, whereupon there came a Maid with a white Hood out of the house, but who took up the Razor she can't tell.

This is Subscribed John Böoms, and William Smith.

Cl. of Cr. Here is another Paper August the 8th, (83.) Mr. William Glasbrooke does declare, That one Jane Lodeman aged about 13 years, inhabiting in the same house where he the said William Glasbrooke lodged, did on Friday the 13th of July last past between the hours of 10 and 11 in the Morning, in the presence and hearing of him the said William Glasbrooke declare to her Aunt, That the Earl of Essex had cut his Throat, upon which her Aunt was very angry with her, whereupon she the said Girl did declare, that she was sure of it, for she saw him throw the Razor out of the Window, and that the Razor was bloody, and that she heard two Groans or Shrieks (which of the two words she used, be the said William Glasbrooke is not certain) of this, be the said Glasbrooke is ready to make Oath.

This is Subscribed William Glasbrooke, Margaret Smith.

Mr. Att. Gen. He carried his Stuff about him it seems wherever he went.

L. C. J. 'Tis Stuff indeed. Good God what an Age do we live in!

Mr. Att. Gen. It is not taken upon Oath before any Magistrate, but cooked up to amuse the Country, as if they were formal Informations. Here is another Letter Mr. Beech, was this Letter found about him?

Mr. Beech. Yes, this Letter was found about him.

Mr. Att. Gen. It is from one Burgis, a man of the same Kidney.

Cl. of Cr. This is directed for Mr. Cumpen at the Dolphin at Frome, and 'tis Subscribed Jeremiah Burgis, and dated Marleb. Oct. 21.

The Tryal of Laurence Braddon,

Mr. Cumpen,

My kind love to you. These are to desire you to call to mind, that I was in Frome, the 6th of July being Friday, where I heard the Report that the Earl of Essex had cut his own Throat, I would desire you to inquire into it, to know who first reported it, and give this Gentleman the truth of it. And in so doing you will oblige me who am

Your Friend,

Jeremiah Burgis.

Mr. Beech. Under favour my Lord, This Letter talks of a Report that was the 12th day, the very day the Earl of Essex murdered himself, I went directly to Frome and spake with this Cumpen, and he told me, he did not speak with Burgis, nor see him, nor was there any such Report before the Sunday Morning. From thence I went to my Lord Weymouths as I told you.

Mr. Att. Gen. My Lord, We have gone through our Evidence for the present, to shew how this man has endeavoured to spread this matter to the scandal of the Government. We shall end here at present to see how he has improved his confidence, by what defence he will make to all this proof. Afterwards if there be occasion, We shall give an account of the Earls death, how he murdered himself. And for that we have a Cloud of Witnesses, tho this Gentleman has taken upon him so much confidence as to contest it.

L. C. J. That would be very fit Mr. Attorney, because they have raised a doubt in some Peoples minds about it.

Mr. Att. Gen. I thought it best to reserve it till after I see what defence he will make. L. C. J. Take your time.

Mr. Watlop. May it please your Lordship, and you Gentlemen of the Jury, I am of Counsel for Mr. Braddon and Mr. Speke, the Defendants here. You see what the Issue is before you Mr. Speke and Mr. Braddon, they are in the Information charged, That they did Conspire together to make the People believe, That whereas the Earl of Essex murdered himself, and so it was found by the Inquisition, yet they would have the People believe, that that Inquisition was taken unduly, and that they did Conspire to procure false Witnesses to make these things out. Now Gentlemen, the only point that you are to inquire of, is this, Whether these two Gentlemen did maliciously, factiously, and seditiously set these things on foot. This Report that the Earl was murdered, or whether there were such intimations offered to them accidentally and casually, without officiousness or any of their own seeking, that might induce a good man or a wise man to follow the business upon such Information given. For our parts that are for the Defendant we say this for our Clients, We are not so much to make any men guilty of this Murder, that is not our business, but to prove our own innocency and fair dealing in this matter. Now Gentlemen, if these two Persons had no inducement to lead them on to this, but did it of their own heads, that is Criminal in them, but if they had that which might induce a wise and good man though they were much mistaken, yet they are not to be found Guilty of this offence, that is charged on them. I shall leave it Gentlemen to you, who I question not have observed the Evidence that has been given, and whose proper work it is to make your Judgment upon. But in our defence the steps we go are these, and we desire you would please to observe them. First we say, that the Report of this Murder was the day before, two or three days before, and that very day, so many

many Miles distant from *London*, that hearing of such a Report we might very easily be induced to make some inquiry after it; and of this 4 Instances we shall give in the Course of our Evidence, that this was a great many Miles off *London* talked of at the day, and immediately after the day, before the News could reach those places after the Fact committed. Then we shall proceed to those passages concerning the Boy, and produce Evidence to set forth the true State of that Matter, That this Boy as he says himself did tell the Family this Story that very day that my Lord murdered himself, immediately upon his coming home. Now this Original Story is impossible to be contrived by Mr. *Braddon*, be it true or be it false. Then Mr. *Braddon* coming into *Essex* to Mr. *Evans* house at *Wanstead*, there what was said by the Boy was spoken of. Then Mr. *Braddon* finding this Information of the Boy, which he had given merely of himself, and which contradicted the Inquisition and put him upon this Inquiry. Now how far this Intimation has weight, and may be an inducement to a good and a wise man, as I say that we must leave to you. But besides that, there is a Girl a stranger to the Boy, that at the same time upon the matter, and to this same effect and substance, delivered such an Evidence as might very well serve to confirm us in our Inquiry, and this is the Course of our Evidence in the substance of it. And we shall apply our selves to your Lordship and the Jury after the Evidence given, and make our Observations upon it, and submit it to you Gentlemen.

Mr. *Williams*. Will your Lordship please to spare me one word that is an Objection that we would make from the Record it self. The Information that does recite, That the Earl of *Essex* was imprisoned in the Tower, and during his Imprisonment there, cut his own Throat, and became *Felo de se*. And that there was an Inquisition taken before such an one, before *Edw. Farnham* Coroner of the Liberty of the Tower, My Lord, I was not here when the Inquisition was read, if I had I should have made the Objection then, but this is that I say, If we can falsifie that part of the Record, if there be a mistake there, that is, if *Farnham* was not Coroner then they fail in their proof, and we must be found not Guilty, for so it is in the Information.

L. C. J. It is said to be before him as Coroner of the Liberty.

Mr. *Williams*. Yes, My Lord, They recite that he is Coroner, and that the Inquisition was taken before him as Coroner, and Mr. *Braddon* knowing of it did thus and thus. L. C. J. Why is he not Coroner?

Mr. *Williams*. My Lord, I desire the Inquisition may be looked into, I cannot go to contradict the Inquisition, but my instructions only are that he is Deputy Coroner, and if it be so they are mistaken in their Information.

Cl. of. Cr. It is *Coram Edwardo Farnham Coronatore*.

Mr. *Williams*. Then we can't help it. But there are these things, that we say to it, one part of the Information is, That we should go about to perswade the people, that this Inquisition was not duly taken, another part is, That we did procure false Witnesses to prove it; now what proof is offered as to the matter of perswading the people, I must submit to you, whether it be such as comes up to the Charge in the Information. There is some kind of proof, but what it is you see. Then for the other Matter which is the procuring false Witnesses, that under favour I think I may affirm, that there is no proof at all of, that Mr. *Braddon* or Mr. *Speke* did procure false Witnesses. Gentlemen, we shall endeavour to acquit our selves of all, if we cannot of all, yet of part, especially that part which seems to be the most Criminal. And I must needs say I have not heard any

any Proof of procuring false Witnesses, by either of the Defendants. Then there is a third thing charged, and indeed in the Evidence there is something that looks towards it, That he should go about by Papers and otherwise to publish it, That he was a person employed to prosecute the Murder of the Earl of *Essex*. Now as to this matter all I shall say for Mr. *Braddon* is this, If he have done something more, it may be by a transport of Zeal, than became him, that must be submitted how far it is criminal. If he did what did not become a mighty wise and discreet Man, yet if he did what became a rational Man of ordinary Capacity to do, if he had this Information and so many other Informations, and he did search innocently a little into it, if he did not do it Seditiously and Factionally with an ill mind, we hope there is no such great harm done. And indeed Gentlemen, his Mind is to be tryed in this matter. And 'tis an hard matter to try a Man's Mind, *quo animo* a Man did such an Action, that he did it, there is some sort of Evidence, but if he did it not out of an ill Principle and with an evil Intention, then, under favour, we take it he is not Guilty of this Information. And we shall endeavour to make it out thus, This Gentleman hearing of this Report of the Boy, makes his Application first to Sir *Henry Capell*, who was a person well known to be nearly related to this unfortunate Lord, the Earl of *Essex*, and he tells him what Information he had received. Sir *Henry Capell* puts him into an excellent Course, and desires him to go and inform a Secretary of State, and he did so, and if he had gone only this way, all that he had done, had been innocent. Then the matter is only this; He has gone a little out of the way, and has taken some Informations and Examinations in Writing: why tho' he has gone a step or two awry, yet if it was with a design to prepare the matter, the better for the Secretary, by laying these Papers before him, we hope there is no Crime; if we did it not Seditiously, but only with an intention, That Mr. Secretary might receive a more clear and full Information; I hope the Jury will acquit us.

L. C. Just. You say well. Come prove your matter.

Mr. Thompson. Call Mr. *Fielder* and Mrs. *Mewx* and Mr. *Lewes*.

Lewes appeared.

Cryer. Lay your Hand on the Book.

Lewes. My Lord, I desire my Charges may be paid, before I Swear.

L. C. J. Prithce what have I to do with thy Charges? I won't make Bargains between you, If you have any Evidence to give, and will give it, doe, if not let it alone.

Lewes. My Lord, I shall not give any Evidence 'till I have my Charges.

L. C. J. Mr. *Braddon*, if you will have your Witnesses swear, you must pay them their Charges.

Mr. Braddon. My Lord I am ready to pay it, I never refused it, but what shall I give him?

L. C. J. Nay, I am not to make Bargains between you, agree as you can.

Mr. Thompson. My Lord, We are willing to do what is reasonable. You *Lewes* what do you demand?

Lewes. He can't give me less than Six Shillings a day.

L. C. J. Why, where dost thou live? *Lewes,* At *Marleborough*.

L. C. J. Why canst thou earn 6 s. a day by thy own Labour at *Marleborough*?

Lewes. My Lord, I am at 40 s. or 3 l. a Week charge with my Family and Servants.

L. C. J. What Trade art thou?

Lewes, A Stapler.

L. C. J.

L. C. J. And does your Trade stand still while you are here in Town?
Lewes. Yes, to be sure it can't go well on.

L. C. J. Well I say that for you, you value your Labour high enough, I know not what your Evidence may be, but Mr. Braddon you must pay your Witness if you will have him.

Mr. Braddon. I will my Lord very readily, what will you have? I have paid you something already.

Lewes. Give me Twenty Shillings more then. You can't give me less.

Then Mr. Braddon paid him Twenty Shillings, and he was Sworn.

L. C. J. Well what do you ask him, Mr. Thompson?

Mr. Thompson. We ask him what report he heard of the Earl of Essex's Death, and when?

L. C. J. What is your Name, friend?

Lewes. Lewes.

L. C. J. Well what is it you say?

Lewes. My Lord, as I was riding up Husband, within Three or Four Miles of Andover,

Mr. Wallop. How many Miles is that off of London?

Lewes. Fifty two.

Mr. Wallop. Well, go on.

Lewes. Between the hours of Three and Five, but it is so long ago that I cannot exactly tell the certain time, a Man asked me what News I heard in the Country, I told him I heard none. Says he, I hear the Earl of Essex has cut his Throat: it was upon a Friday in the Summer, I forget the day of the Month, I can't tell what Month it was certainly.

Mr. Thompson. What day of the Week was it?

Lewes. I remember it was upon a Friday.

Mr. Thompson. Can't you tell what Month it was?

Lewes. I can't tell what Month it was, it was in the Summer I know.

Mr. Braddon. My Lord, I desire to ask him a question.

L. C. J. Do if you will. Ask him what you will.

Mr. Braddon. Did not you go to Marlborough on the Saturday.

Lewes. I did go to Marlborough the next day, which was Saturday.

Mr. Braddon. I desire to know of him, whether he did meet with the News of it there then?

Lewes. My Lord, as to that, when I came home, my Neighbours asked me if I had heard any News? I told them, says I, I hear the Earl of Essex hath cut his Throat. Why when did you hear it, say they? I heard it yesterday, said I. Said they, it was done but yesterday, how could you hear it so soon? That is all I have to say my Lord.

Mr. Williams. By the best Conjecture you can make, was it that very day the Earl of Essex cut his Throat?

Lewes. I do not know that ever any such Man cut his Throat, but this I heard, and I tell you the time as well as I can.

Mr. Williams. Then pray let us have our Money again.

L. C. J. Thou art well paid, I will say that for thee.

Mr. Williams. Where is Mr. Fielder? Swear him. I (Which was done.)

Pray Sir, what did you hear, and when, of the Earl of Essex's Death?

Mr. Fielder. The Wednesday and the Thursday of the same Week, that the Earl of Essex cut his Throat, it was reported in our Town of Andover, that he had so done. The Women as they came in and out of the Town talked of it one to another.

L. C. J. What was talked of that Wednesday and Thursday?

Mr. Fielder. That my Lord of Essex cut his Throat in the Tower.

Mr. J. Withins. What before he had cut his Throat? Mr. Fielder. Yes.

Mr. J. Withins.

Mr. J. Withins. That is very strange indeed.

L. C. J. Lord, what a story is here.

Mr. Williams. My Lord, if you please I will tell you what use we would make of it.

L. C. J. I know what use you would make of it, the use is just the same as you make use of all sorts of ridiculous and shamming stories, to set us together by the ears, and rake into all the Dunghills that can be, to pick up matter to put us into confusion.

Mr. Williams. But my Lord, if there was such a report so long before,

L. C. J. *Mr. Williams* you were here in Town at that time I am sure.

Mr. Williams. My Lord, I heard it at Eleven a Clock that day, that is the soonest I heard it.

L. C. J. What an Age do we live in? what stuff is here picked up, on purpose to kindle the Fire and set us all into a flame!

Mr. Att. Gen. What day of the Month was it reported upon your Oath?

Mr. Fielder. I did not mind the day of the Month, I can't tell that.

Mr. Att. Gen. How do you know it was that Week?

Mr. Fielder. Because on the Saturday night that Week we had the certain News of it.

Mr. Sol. Gen. You say somebody told you then of it on Saturday?

Mr. Fielder. Yes, on Saturday we had certain News of it.

Mr. Sol. Gen. Who gave you the certain Intelligence?

Mr. Fielder. Some Clothiers.

Mr. Williams. Was Gadbury your Country-man?

L. C. J. Ay, prithee ask him that, whether Gadbury told it him, or *Erre Pater* if you will? *Mr. Att. Gen.* From what Market-people was it reported?

Mr. Fielder. Some Women.

Mr. Sol. Gen. It was only Womens stories then?

Mr. Fielder. Yes, they talked of it among themselves.

Mr. Att. Gen. Was it the Forenoon or the Afternoon?

Mr. Fielder. The Wednesday and Thursday both: it was the common talk of the Town all day long.

Mr. J. Withins. Name one that spake it to you.

Mr. Att. Gen. Ay, name one of any credit if you can.

Mr. Fielder. I cannot, it was the Women as they came in and out of my shop, and as they went up and down the Town.

Mr. Wallop. My Lord, we leave it with your Lordship and the Jury. He swears he then heard such a Report.

Mr. J. Withins. Do you believe this, *Mr. Wallop* your self? You are a man of Ingenuity, I appeal to you.

Mr. Wallop. I believe that *Mr. Braddon* in his Prosecution of this matter, went upon the ground of this Report, for he had heard the like Evidence was given in my Lord *Staffords* Tryal, about the News of *Sir Edmundbury Godfreys* being killed, before it was known here what was become of him, and that perhaps might mislead him if he be mislead.

Mr. J. Withins. Do you believe, that this man can speak truth, when he says it was Reported all about their Town for two days before it was done, and yet can't name one person that spake it?

Mr. Fielder. I keep a publick shop, and don't take notice of every one that comes in and out, to remember particularly.

Mr. J. Withins. You heard it up and down the Town you say, surely you might remember some-body.

Mr. Wallop. He might hear it, and not take notice of one, but it was the common fame at *Andover*.

Mr. Williams.

Mr. Williams. Let it go as it will. Your Lordship and the Jury hear what he says. —

L. C. J. But under favour, Mr. Williams, it ought not to pass so easily, 'tis a contrivance to deceive the King's Subjects, and shews a design to pick up Evidence to amuse the unwary, and fill their heads with fears and jealousies of I know not what.

Mr. Wallop. My Lord, I would excuse my Client from malice as well as ever I can, and therefore we produce these Witnesses to shew what grounds he had for what he did.

Mr. Williams. We will next call some Women that live near the Tower, that might give him some occasion for his concerning himself in this business, Jane Lodeman, and Margaret Smith. This voice and rumor in the Country made him to go into the Country, but it shews he was no contriver of the Report.

Mr. Att. Gen. I would fain know of Fielder, when he told Mr. Braddon of this.

Mr. Braddon. My Lord, I desire the family of the Edwards may be called.

L. C. J. Name them. Who are they? How can we tell who your Witnesses are?

Mr. Braddon. Cray call them, Mrs. Edwards and her Daughter. Will your Lordship give me leave to make my own defence?

L. C. J. Ay, if you will, but then take notice your Council are discharged from making any defence for you.

Mr. Braddon. May it please your Lordship, and you Gentlemen of the Jury, These were the inducements following, that put me upon engaging in this matter. —

Mr. Att. Gen. Call your Witnesses first, and then speak.

Mr. Braddon. Mr. Edwards, and Mrs. Edwards. (who came into Court)

Mr. J. Withins. Pray Mr. Braddon, answer me this one Question, What was the matter that encouraged you to proceed after you knew the Boy had denyed it, and said it was all a lye?

Mr. Braddon. I was bound to answer to an Information after I had been examined at the Council; I had not otherwise stirred in it again.

L. C. J. Well, what do you ask Edwards?

Mr. Braddon. What day was the first day I saw you, and had discourse with you, and what was the discourse I had with you?

Mr. Edwards. It was the seventeenth of July.

Mr. Braddon. What did you tell me then that your Boy reported?

Mr. Edwards. I told you what I acquainted the Court withal before, that the Boy had brought home such a Report.

Mr. Braddon. Had the Boy ever denied it before I saw you?

Mr. Edwards. That day you came to speak with me about it, as I was informed by my Wife and my Daughter, the Boy did deny it.

Mr. Braddon. Was it before I came, or after I came that he denied it?

Mr. Edwards. It was after you came.

Mr. Braddon. What were the inducements that made him to deny it?

L. C. J. He tells you himself, because it was false.

Mr. Braddon. I desire the elder Sister Sarah Edwards may be called.

Mr. Wallop. It is apparent the Boy did first affirm it. —

L. C. J. I thought Mr. Braddon would have made his defence himself, Mr. Wallop, but you will be breaking in upon him with your Remarks. Make your Remarks by and by, this is a time for Evidence.

Mr. Wallop. My Lord, I only say this, 'Tis apparent the Boy did first affirm it, and we shall shew how he came to deny it.

L. C. J.

The Tryal of Lawrence Braddon

L. C. J. 'Tis not proper for you to make Remarks, when you are examining your Witnesses; but when you sum up, You may take what notes you will, and reserve them till that time, but do not break in upon the Evidence.

Crier. Here is Sarah Edwards now. *(who was sworn)*

Mr. Att. Gen. This is not the Sister, this is the mother of the Boy.

L. C. J. Well, what do you ask her?

Mr. Braddon. What discourse had you with your Boy about Ten of the Clock that Friday morning I met you?

Mrs. Edwards. I had no discourse, but what my Child told me.

Mr. Braddon. What did your Child tell you?

Mrs. Edwards. I gave an account to my Lord Keeper, he had it in writing, I gave him an account in writing.

Mr. Braddon. But you are now called upon your Oath, and are to speak the Truth, and must give an account to his Lordship and the Jury upon your Oath, what it was the Boy told you.

Mrs. Edwards. What was it Sir he came and told me? why the Boy told me, Mother says he I have been at the Tower, and seen the King's Majesty and his Royal Highness, and says he the Earl of Essex has cut his Throat; and Lord Mother says he, and wept. Lord Child said I, I am afraid, you are going to make some excuse to me that I should not beat you, being you have play'd Truant, no mother says he I did not. He continued in this for a little while, and then afterwards did deny it.

Mr. Braddon. What did he deny?

Mrs. Edwards. What he had said to me.

Mr. Braddon. Did he deny that he had been at the Tower? Or that the Earl of Essex had cut his Throat?

Mrs. Edwards. No, he denied what he said he saw.

Mr. Braddon. What was that?

Mrs. Edwards. He said he saw an hand out of a Window, and a Razor fell down, and he went to take it up, and there came out a Woman or a Maid, a short fat Woman came out and took it up and went in again.

Mr. Wallop. And he said this crying and weeping you say?

Mrs. Edwards. Yes, he did so.

Mr. Braddon. Did he deny it before such time as I had been there?

Mrs. Edwards. No, you was once at my House before, and spake to my Husband, and then you came the same day again.

Mr. Braddon. Pray, what was the discourse your eldest Daughter had with the Boy between the time of my first coming, and the time of my second coming?

L. C. J. 'Tis impossible for her to answer any such Question, what discourse two other people had.

Mr. Att. Gen. Bring the Daughter her self, and let her tell.

L. C. J. Hark you Mrs. Edwards before you go. The Boy denied it; it seems in two or three days after he had given out such a Report.

Mrs. Edwards. Yes, my Lord he did.

L. C. J. How came he to deny it?

Mrs. Edwards. I will tell you how. When this Gentleman came and acquainted my Husband with his business, it put us all into a great damp; and my Husband said, now both my Boys were gone to School, and says he, after the Gentleman was gone, to my Daughter Sarah, Don't you say any thing to your Brother when he comes in, but let him alone, and we will talk to him. So with that she was so grievously affrighted and so amazed

amazed, that as soon as he came in the said, prithee Billy deal truly, and don't you tell any lie to save your Breech, for here has been a Gentleman to inquire some thing about what you said, why Sister says he will any thing of harm come, truly Child says she I don't know, and upon that he did deny it.

L. C. J. Did you tell Mr. Braddon, he had denied it?

Mrs. Edwards. He was told he had denied it.

L. C. J. Did you tell Mr. Braddon before the Paper was signed that he did deny it.

Mrs. Edwards. Yes, my Lord, he knew that before the Paper was signed.

Mr. Braddon. Mrs. Edwards, Did not the Boy come to you, and cry out he should be hang'd, and then did deny it?

Mrs. Edwards. Yes, that he did.

Mr. Braddon. From whence did he come that he was in such a fright?

Mrs. Edwards. I can't tell that Sir.

Mr. Braddon. Did not your eldest Daughter chide him and threaten him?

Mrs. Edwards. Yes, she did bid him speak the Truth.

Mr. Att. Gen. And then he denied it? Mrs. Edwards. Yes.

L. C. J. Ay, says she to him, Billy do not to save thy Breech tell a lie, but speak the Truth, why then says he the Truth of it is there was no such thing.

Mr. Braddon. My Lord, she says it was after his Sister had Chid and threaten'd him.

Mr. Sol. Gen. You are a little too fierce upon the Woman Mr. Braddon, you do not Observe what she says.

L. C. J. Yes, he is wonderful zealous, flourishing his hands.

Mr. Sol. Gen. She says, the Daughter did tell the Son that he must speak the Truth, and not tell a lie to save his Breech, for there had been a Gentleman to inquire about it, why says the Boy will there come any harm of it, I don't know says his Sister, why then says he I tell you the Truth there was no such thing.

L. C. J. Ay, when she engaged him to tell the Truth, and not tell a lie to save his Breech, then the Truth comes out.

Mr. Braddon. Pray call Sarah Edwards the Daughter. My Lord, they told me in the House that she had frighted him into a denial.

L. C. J. Pray good Sir how came you to be a Justice of peace? And to turn Examiner? You live in the Temple, or belong to the Temple, how come you to take Examinations here in London, but that some people are so very zealous and officious in matters that concern them not, on purpose to raise a dust.

(Then Sarah Edwards the younger was sworn.)

Mr. Braddon. Did not your Brother deny what he had said by your means?

L. C. J. Pray ask a fair Question.

Mr. Braddon. Mrs. Pray tell your knowledge of what the Boy declared?

L. C. J. Ay, Ay, Tell what you know, what your Brother said concerning his seeing a Razour, and his denying of it afterwards. Tell all from the beginning to the end, and tell Truth in Gods name, and nothing but the Truth. We desire the Truth may come out, let it be of which side it will.

Sarah Edwards. My Brother came home and said, he had been at the Tower, and that he had seen his Majesty and his Royal Highness, and the Earl of Essex had cut his Throat, and that he saw an hand sling out a Razour out of a Window, and that a Maid or a Woman came out and took it up, and went in again, and presently after he heard the noise of murder cryed, so I knowing he was very apt to tell lies, I did not believe it.

Mr. Braddon. Pray Mrs. did you prevail with him to deny it afterwards

L. C. J. You are so wonderful full of Zeal and heat in this matter, you cannot let your own Witnesses tell their own Story, but you must interrupt them. You have been bred to the Law, and you have been before here present I suppose at many Tryals, and what pretence can you have to be more indulged in an extraordinary way of proceeding than others, 'tis not for the integrity of your Conversation I am sure that you ought to have it, but only because you have more impudence.

Mr. Braddon. My Lord, I have nothing of confidence, but what is grounded upon innocence.

L. C. J. I tell you, you are too confident, and pray know where you are, and behave your self as you ought.

Mr. Braddon. My Lord, I hope I do no otherwise.

L. C. J. We must give such liberty and toleration because of the extravagance of his confidence as to let him break in upon all rules and methods. When you behave your self as you ought to do, the Court will indulge you and give you all just liberty, but don't expect for your Zeal sake and the flinging of your hands to do what you list. Go on, *Mistris.*

Sarah Edwards. So Sir this *Mr. Braddon* came on *Tuesday* following about one or two of the Clock and asked for my Father, and coming, my Sister *Mary* went to the door and called my Father out to him. When my Father came to him, he told my Father he came from Sir *Henry Capell*, and the Countess of *Essex* to know the Truth of my Brothers Report. So my Father told him the Boy had reported such a thing, but he would not assure the Truth of it, for he had been informed by us that the Boy was apt to tell lies to excuse his playing *Tenant*; for the Child was gone to School when *Mr. Braddon* came, and when he came home from School they went to the Child, said I, *Billy* will you be sure to tell me the Truth of this Report, why Sister said he, will any harm come of it? *Nay* said I, I do not know, for there has been a Gentleman to inquire about it. So then the Child denied it.

L. C. J. Did he know this before he made the Boy sign the Paper?

Sarah Edwards. Yes, this was on the *Tuesday* after *Mr. Braddon* had been first there. And I spake to him, said I, *Billy* say nothing but the Truth be sure, and don't tell a lie to save your Breech. So Sir, as soon as ever the Child denied it *Mr. Braddon* came in again the same day, and coming in found us, my Mother and all of us, daunted hearing the Boy deny it; but he asked the Child and bid him speak the Truth, and told him it was a dreadful thing to be a Liar, and bid him read the fifth of the *Acts*, telling him he would find there two were struck dead for telling of a lie, and several other such expressions that I cannot remember. Upon *Wednesday* about noon he comes again, and then my Brother did own it again, and he writ down what the Boy owned, and went away, saying he would go to Sir *Henry Capell*, and the Countess of *Essex*. And on *Thursday* he comes again and brings a Paper written over again, not the same he writ at our House, and then the Child set his hand to it. The Child was something unwilling, so says he to him, it will be no harm to you, if any danger does come of it, it will come to me and not to you.

L. C. J. The Child was unwilling to sign it you say, but by his perswasion?

Sarah Edwards. Yes, *Mr. Braddon* told him it would be no harm to him, all the harm would come to himself.

Mr. Braddon. When the Child had owned to me what he first said, and upon your saying that he denyed it, I asked him the reason why he denyed it, pray will you tell what answer he made to that question. Pray tell the truth, and nothing but the truth.

Sarah Edwards. Upon my word Sir, I can't recollect that.

Mr. Braddon. Pray Mistress, what answer did he make?

Sarah Edwards. I have told you what I know, to the best of my remembrance.

Mr. Braddon. Did not you hear your Brother run to his Mother, and cry out I shall be hanged?

Sarah Edwards. Yes.

Mr. Braddon. What was the reason of his crying out so?

Sarah Edwards. Why the Child had that fear and dread upon his Spirits, knowing it was a Lye I suppose he had told.

Mr. Braddon. What was the reason of his fear?

L. C. J. She tells you, it was the falshood of the story.

Mr. Wallop. Mistress, did not you tell him that his Father would be in danger of losing his Place?

Sarah Edwards. Yes Sir, we did.

Mr. Wallop. Did you tell him, the King will Hang your Father if you do not deny it?

L. C. J. Why, you have a mind to have it believed that it was true then *Mr. Wallop.* My Lord, the Boy best knows that.

L. C. J. But do you believe that if it had been true, that the King would Hang his Father, or turn him out of his Place if he did not deny it, as though the King would force people to deny the truth?

Mr. Wallop. My Lord, I do not say nor believe any such thing.

L. C. J. But your question seems to carry it so.

Mr. Wallop. My Lord, I ask the Question of her, whether she did not say so to him, I ask Questions according to my instructions.

L. C. J. Nay *Mr. Wallop*, be as angry as you will, you shan't Hector the Court out of their understandings. We see plainly enough whether that question tends. You that are Gentlemen of the Robe, should carry your selves with greater respect to the Government, and while you do so, the Court will carry themselves as becomes them to you.

Mr. Wallop. I referr my self to all that hear me, if I attempted any such thing as to Hector the Court.

L. C. J. Referr your self to all that hear you, referr your self to the Court, 'tis a reflection upon the Government, I tell you your Question is, and you shan't do any such thing while I sit here, by the Grace of God, if I can help it.

Mr. Wallop. I am sorry for that, I never intended any such thing, my Lord.

L. C. J. Pray behave your self as you ought *Mr. Wallop*; you must not think to huff and swagger here.

Mr. J. Withins. *Mr. Braddon*, you hear what the reason was of his crying out so. She said he was afraid, because he knew he had told a Lye.

Mr. Wallop. Pray Mistress, who told him the Family would be ruined by it?

Mr. J. Withins. *Mr. Wallop*, I asked this Gentlewoman, whether she did say it, and she said she could not tell.

Sarah Edwards. Indeed I cannot tell my Lord.

Mrs. Edwards. She did indeed say so my Lord.

Mr. Wallop. Pray let it go my Lord as it is, what was it she said? Did she speak about turning her Father out of his place?

Mrs. Edwards. I cannot say that, but she said, when the Boy asked whether there would be any harm by it, she could not tell, but it may be her Father and Family might be ruined.

L. C. J. And is not this reflection upon the Government, to say the King would Ruine any one if they did not tell a Lye.

Mr. Wallop. My Lord, for a false Report he might be Ruined, but it seems upon this saying he did deny it.

Mr. J. Withins. Was there a word said of his being turned out of his Place?

Mrs. Edwards. I cannot say there was.

L. C. J. No not a word, but only *Mr. Wallop* is so impetuous in the worst of Causes.

Mr. Wallop. I am in the judgment of the Court, whether I do any thing but what becomes an Advocate for his Clyent, according to my instructions.

L. C. J. Yes, you are so, and shall know that you are under the Correction of the Court too.

Mr. Wallop. My Lord I know where I am.

L. C. J. Ay, you know well enough, but you would do well to carry your self as you should do.

Mr. Wallop. With humble submission my Lord, I appeal to all that hear me.

L. C. J. Appeal to whom you will, I know the business of the Barr is to appeal to the Court.

Mr. J. Withins. What is the matter with *Mr. Wallop*, that makes him so earnest in this Cause.

L. C. J. There is such an heat in this Cause, I wonder whence it should come, I am sure 'tis not from the honesty of it.

Mr. Braddon. Young *Mrs. Edwards*, if I suffer any thing by reason of the falsity of your Testimony it will return upon you.

Sarah Edwards. Sir, I do tell you all I know.

Mr. Braddon. Then I desire you to answer me this Question, whether or no when the Boy did own what he first said, and I asked him the reason of his denial, whether the falsity of the thing, or fear caused him to deny it, did not he say it was fear through your discouragements and threatnings?

Sarah Edwards. No he did not say it, did he Mother?

L. C. J. Why we are got into a way of appealing and appealing, here is appealing to the people, and appealing to the Witness, pray keep to the business, and within the bounds of decency. Before such time as the Boy denied it, did you desire him to speak truth?

Sarah Edwards. Yes, I did.

Mr. Thompson. And when *Mr. Braddon* Examined him, did he desire him to speak truth?

Sarah Edwards. Yes he did.

L. C. J. But he knew before he Examined him that he had denied it, did not he?

Sarah Edwards. Yes, the Second time before he came into the House.

Mr. Braddon. I desire the old Gentleman may be asked this Question.

Mr. Thompson. Call *Mr. Edwards* again.

L. C. J. The Spirit of the Clyent was got into the Counsell I think just now, and now 'tis got into the Clyent again. 'Tis an hard matter to Lay it I perceive.

Mr. Wallop. My Lord, I am here of Counsell for *Mr. Braddon*, and I only ask Questions as they are in my Breviate.

L. C. J. But Sir, if you have any thing in your Breviate that reflect upon the Government, you ought not to vent it, nor shan't be permitted to vent it as long as I sit here.

Mr. Wallop. My Lord, with submission, I hope I never did, nor never shall let any such thing come from me.

L. C. J. Nay be as angry, or as pleased as you will, 'tis all one to me, you shall not have liberty to broach your Seditious Tenets here.

Mr. Braddon. *Mr. Edwards* pray will you answer this Question? Did not your Son when he was asked why he denied it, say that it was fear and discouragement, through his Sisters Threats, was the cause? Pray speak the truth.

Mr. Edwards. I cannot tell whether the Child did say so, something of that nature he did say.

Mr. Thompson. Call *Anne Burr*.

L. C. J.

L. C. J. We have got such strange kind of notions now a days, that forsooth men think they may say any thing because they are Counsel. I tell you *Mr. Wallop*, your Questions did reflect upon the Government, as though the King had a mind to turn a man out of his employment if he did not iwear a falsity. What can be a greater reflection than that? But all the matter is, what has been done must be avouched and justified, though it be never so ill. But we plainly see through all. This was the design from the beginning, the King and the Duke of *York* were in the *Tower* at that time, and it must be thought and believed that they had designed this matter, and so then all people must be ruined in case they would not say the Earl murdered himself, tho indeed others had done it.

Mr. Wallop. *Mr. Edwards* did not delight to have such a Report as might create trouble first come out of his House.

Mr. Braddon. My Lord, As to the making such an inference, or any reflection as your Lordship mentions, I am as far from it as any body here.

L. C. J. We must give a wonderful deal of countenance to such barbarous and horrid practises, and I warrant you, must suffer the Government to be reflected upon at the will and pleasure of every man. No, let us hear the Truth, but not in the face of a Court permit men to asperse the Government as they please, by asking such Questions.

Mr. Att. Gen. And the Witnesses say nothing to it neither.

L. C. J. No, nothing at all like it, but 'tis aspersion for aspersion sake. And we must sit still and hear it.

Mr. Wallop. My Lord, I think 'tis for the honour of the Government to have all things fairly inquired into.

L. C. J. And 'tis for the honour of all Courts of Justice not to suffer reflections upon the Government, let them be by whom they will. And in Gentlemen of the Bar 'tis worse than others.

Mr. J. within. Truly I do not see, where there is any countenance for asking such a Question.

L. C. J. No, but some people are so wonderful Zealous.—

Mr. Wallop. My Lord, Zeal for the Truth is a good Zeal.

L. C. J. It is so, but Zeal for faction and sedition I am sure is a bad Zeal. I see nothing in all this cause, but villany and baseness. And I believe no man that has heard it, but will readily acknowledge that it appears to be an untoward malicious ugly thing, as bad as ever I heard since I was born, on purpose to cast an indignity upon the King and Government, and set us all in a flame.

(Then Anne Burt appeared and was Sworn.)

Mr. Braddon. *Mrs. Burt*, I desire to know what discourse you had with *Mrs. Edwards*: and that Family?

Mr. Att. Gen. I beg your pardon for that, Here *Mrs. Edwards* is her self to tell what she has said.

Mr. Braddon. I desire to know what discourse she had with any of the Family.

Mrs. Burt. I went to make a visit to *Mrs. Edwards*, and I had not been there half an hour but in comes this Gentleman, now I had asked no Questions about the business, but in he comes and desired to speak with *Mr. Edwards*, *Mr. Edwards* was called, and when he came in with *Mr. Edwards* the Gent. sat down in the Room, and told *Mr. Edwards* he had heard a Report of something his Son had spoken, but he desired to have it from his Sons own mouth, and the Boy was called in (this is a real Truth Sir, for I do not know whether I may stir from this place where I am alive or no;) And when the Boy came in, the Gentleman said to him, if it be true that you have reported, own it; if not, do not own it; for said he 'tis a dreadful thing to be found in a lie, I would

have you Read the fifth Chapter of the *Acts*, where a man and a woman were struck dead for telling a lie. Sir said the Boy 'tis true, and what I said I will speak it before any Justice of peace in the World. And then he asked him what he had reported, and the Boy made a Repetition of what he had seen and said before, that he went into the *Tower* and came to the first Row of Houses that goes along. And at the first House he saw no body look out at the Window, nor at the second House, but he looked up at the third House, and he took his hand and shewed this, said he I saw a man's hand he did not say, but an hand throw a Razor out, of this fashion, and he imitated it with his hand. Said the Gentleman was it not the wrong Window, or the wrong House? I will not take the thing upon this credit, take your other Brother down that was a bigger Boy than this, and says he, go down to the House and shew your Brother the Window where you saw this. The two Boys went down, and he shew'd his Brother the place where he saw the hand.

L. C. J. Were you present at his shewing?

Mrs. *Burr*. Will your Lordship please to give me leave.

L. C. J. And pray give me leave too, I ask you, Were you present? for you tell it as if you knew it your self.

Mrs. *Burr*. Both the Boys came up and said so.

L. C. J. You should have said so then, that they told you it, for you are upon your Oath, and must affirm nothing but your own knowledge.

Mrs. *Burr*. If I do misplace my words I cannot help that.

L. C. J. You misplace your Evidence woman, you must not swear, that to be true that you don't know to be true.

Mrs. *Burr*. My Lord, I heard what I say with my own Ears.

L. C. J. But you talk of a thing you did not see with your own Eyes, as if you had seen it.

Mrs. *Burr*. I beg your pardon my Lord, I can't tell how to place my words so exactly.

L. C. J. I care not how thou placest thy words, tell thy own knowledge.

Mrs. *Burr*. I tell what is Truth, what I heard and saw; for said Mr. *Braddon*, I believe it was not the right window, when the Boys came up and said he had shewed the window. And this Gentleman, I cannot hit his name right (he is a stranger to me) he and Mr. *Edwards* went down with the Boy, to see whether it were the right window of the House where my Lord died (which where it is I cannot tell any other wise than has been reported, or whether there be one room or two of a floor I don't know;) and when he came up again he called for a Sheet of Paper that he might write from the Boys mouth, and that he might not differ one word from what the Boy had said himself. And when I saw Mr. *Braddon* begin to write I went away, for I thought it may be the Gentleman might expect I should set my hand to it as a Witness, and I did not desire any trouble.

Mr. *Braddon*. I desire this Question may be asked her my Lord, do not you remember it was said the Boy denied it?

Mrs. *Burr*. Yes, it was said, The Boy did deny it.

Mr. *Braddon*. What did his Sister say was the reason of his denying it?

Mr. *Thompson*. Ay, what did you hear the Sister say?

L. C. J. I told you before that was no Evidence what another body did say.

Mr. *Wallop*. Mistress, the Boy denied it, for what reason?

Mrs. *Burr*. Because his Sister, as his mother told me, had been talking to him.

L. C. J. As his mother told you, prithee woman speak your own knowledge and not what another body told thee.

Mrs. *Burr*. Pray give me leave my Lord.

L. C. J. I tell thee I will not give thee leave to say what thou shouldest not say.

Mrs. *Burr*. I heard his Sister say.

L. C. J. It is not Evidence if thou didst hear never so many people say it.

Mrs. *Burr*. My Lord, I speak nothing but the Truth.

L. C. J. Shall we allow that in this Case for Evidence, that we allow in no other Case, for what reason pray? I do not see it deserves any such extraordinary favour.

Mr. *J. Withins*. Mr. *Wallop*, we must not hear what another said, that is no party to this Cause. You know it is no Evidence, therefore do not press it.

Mrs. *Burr*. My Lord, I have done if that will satisfy you.

L. C. J. Prithee satisfy thy self good woman.

Mrs. *Burr*. My Lord, I have done. I come here to speak the Truth and so I do.

L. C. J. Nay prithee be not so full of Tattle, so full of Clack.

(Then a little Girl came into Court.)

L. C. J. What age is this Girl of? How old art thou Child?

Girl. I was thirteen last Saturday.

L. C. J.

L. C. J. Do you know the danger of telling a Lye? *Girl. Yes.*

L. C. J. Why what will become of you if you tell a Lye?

Girl. The Devil will have me.

L. C. J. Give her her Oath. What is thy Name Child?

Girl. Jean Lodeman.

(Then she was Sown.)

L. C. J. Child, do not be afraid of any thing in the World, but only of telling any thing but what is true, be sure you do not tell a Lye, for if as you say, you shall be in danger of Hell-fire by telling a Lye, much more will you be in danger if you swear to a Lye. Now what do you ask her.

Mr. Braddon. What did you see in the Tower that Morning the Earl of Essex dyed?

Lodeman. I saw a Hand out of a Window, but I cannot tell what Window it was, but it was a hand throw out a Razour.

Mr. Braddon. And what did you hear after that?

Lodeman. I can't well remember, but it was either two shrieks or two Groans, that I heard presently after.

L. C. J. What time of the day was it Child?

Lodeman. It was between Nine and Ten of the Clock.

L. C. J. Who was with you besides your self there?

Lodeman. There were more besides me, but they went away.

L. C. J. Who were they Child?

Lodeman. A great many that I did not know.

L. C. J. And how came you to take notice of it?

Lodeman. And there was a Coach stood just at the door.

L. C. J. Tell us some of them Child that were there besides thy self, speak the truth, be not afraid. Thou sayst a great many People were there, and all the people must necessarily see it.

Lodeman. They were people I did not know.

L. C. J. But they all saw it as well as you?

Lodeman. So I suppose they did.

L. C. J. And you heard a shriek or two you say?

Lodeman. Two shrieks or two groans, I can't well remember which.

L. C. J. How high was the Window?

Lodeman. Not above one pair of stairs high.

L. C. J. How high from the Ground might it be?

Lodeman. Not above one Story.

Mr. Thompson. Whereabouts in the Tower was it?

Lodeman. Sir, it was as you go upon the Mount.

Mr. Wallop. Whole Lodging do you think it was?

Lodeman. I did not know whose it was, but Folks said it was the Earl of Essex's.

L. C. J. Who did you tell this to?

Lodeman. I told no body till I came to my Aunt, and I told her.

L. C. J. What is her Name?

Lodeman. Margaret Smith.

L. C. J. Did you ever tell this to that Man?

Lodeman. Yes, afterwards I did.

L. C. J. How came he to enquire of you about it?

Lodeman. He came and asked me, and I could not deny it.

L. C. J. Ay, but how came he to ask you?

Lodeman. There was a Gentlewoman that was at our house, and she heard of it, and spake of it at a Gentlewoman's at Dinner, and so he came to our house to inquire about it.

L. C. J. Who is that Gentlewoman? what is her Name?

Lodeman. Susan Gibbons.

L. C. J. Let me see the Information of this Girl, that Mr. Braddon had taken.

Cl. of Cr. Yes, my Lord, there it is.

L. C. J. Do you know my Lord of Essex's Lodgings?

Lodeman. They said it was his.

L. C. J. Did you know it of your own knowledge?

Lodeman. No, Sir, I did not.

Mr. Thompson. Pray what became of the Razour that was thrown out of the Window, after it was thrown out?

Lodeman. I saw a Woman in a white Hood come out, but I did not see her take it up.

Mr. Sol. Gen. Girl, you say that when you were at this place in the Tower, and saw this matter, there were a great many people there besides your self.

Lodeman. Yes, Sir.

Mr. Sol. Gen. Did the Razour fall among the people that stood there, or did it fall out in the street, or how?

Lodeman. Sir it fell within the Pales.

Mr. Sol. Gen. And was the Passage easy into the Pales?

Lodeman. Yes.

Mr. Sol. Gen. What they must climb over must they?

Lodeman. No, you need not climb over, there is a door to go in. And when people went in the Souldier opened the door.

Mr. Sol. Gen. Who went in with the Souldier? Did you see any body go in?

Lodeman. There was a Man went in, but I know not who he was.

Mr. Sol. Gen. Did the Souldier stand at the door when this Razour was thrown out?

Lodeman. I can't tell that, a Souldier used to be at the door.

Mr. Sol. Gen. The Woman came out of the Lodging did she not?

Lodeman. Yes.

Mr. Sol. Gen.

- Mr. Sol. Gen. Did she go in again? Lodeman. I did not see her go in again.
 Mr. Sol. Gen. Did she go into the Pale? Lodeman. I did not see her go into the Pales.
 Mr. Sol. Gen. Did you see the Razour after it fell upon the ground? Lodeman. No.
 Mr. Sol. Gen. Was it bloody? Lodeman. Yes.
 Mr. Sol. Gen. Very bloody? Lodeman. Yes.
 Mr. Sol. Gen. Did you see no body take it up? Lodeman. No I did not.
 Mr. Sol. Gen. Come hither Child, are you sure it was a Razour or a Knife?
 Lodeman. I am sure it was a Razour.
 Mr. Sol. Gen. Was it open or shut? Lodeman. It was open.
 Mr. Sol. Gen. What colour was the handle? Lod. Sir I can't tell, I see it but as it flew out.
 Mr. Sol. Gen. Was it all over Bloody? Lodeman. No.
 Mr. Sol. Gen. All but a little speck? Lodeman. It was very Bloody.
 L. C. J. B'essed God, what an Age do we live in! Girl you say you did not know it to be
 my Lord of Essex's Window. Lodeman. No, but as they told me.
 L. C. J. Nor you did not see any body take up the Razour. Lodeman. No.
 L. C. J. But are you sure you did not? Lodeman. I am sure I did not.
 L. C. J. But Child, recollect thy self, sure thou did'st see some body take it up.
 Lodeman. No, I did not;
 L. C. J. I ask thee again, did'st not thou know it to be my Lord of Essex's Window?
 Lodeman. No, but as they told me.
 L. C. J. Did you hear no body speak to the Maid that came out? Lode. No body at all.
 L. C. J. No, Prithee is that thy Hand Child? shew her the Paper, the uppermost part
 of it. Lodeman. Sir, I can't Write.
 L. C. J. Who put thy Name to it?
 Lodeman. Sir, I don't know no more than the Pope of Rome.
 L. C. J. Whose Hand Writing is that?
 Lodeman. I cannot tell, I never could Write in my Life.
 Mr. Braddon. Those are the Names of such as heard her say it.
 Mr. Att. Gen. Yes, you have Cooked it up bravely.
 L. C. J. You shall see what a brave Managery you have made of this poor Child. Read
 the Information.
 Cl. of Cr. Reads. — *The Eighth of August, 1683. Jean Lodeman Aged about 13 Years, did^s
 in the presence of those whose Names are Under-Written, declare as follows, That the said Jean
 Lodeman was in the Tower on Friday Morning, the 13th of July last, and standing almost over
 against the late Earl of Essex's Lodging Window, she saw a Hand cast out a Razour out of my
 Lords Window, and immediately upon that she heard shrieks, and that there was a Souldier by my
 Lords door which cryed out to those within the House, that some body should come and take up a
 Razour which was thrown out of the Window, whereupon there came a Maid with a White Hood
 of the House, but who took up the Razour she cannot tell. —*
 L. C. J. Here 'tis said the Souldier cryed out, but now she says, the Souldier she does
 not know was there, and she heard nobody speak to the Maid.
 Mr. Braddon. With Submission my Lord, I desire to ask her this question.
 L. C. J. Prithee ask her what thou wilt. We hear what she says.
 Mr. Braddon. Did you hear the Souldier cry out, or did you not? Lode. No, I did not.
 Mr. Braddon. Did not you say, you heard him cry out?
 Mr. Sol. Gen. My Lord, we cannot admit Mr. Braddon should ask such Questions, they
 are leading Questions. Ask her a general Question, and you shall have an Answer, but
 you shall not give her words to Swear to.
 L. C. J. No, Upon my word, you have given her too many words to Swear to already.
 Mr. Braddon. My Lord, I only writ what she declared.
 Mr. Sol. Gen. Were you carried by Mr. Braddon before any Magistrate, or any Justice
 of Peace? Lodeman. No.
 Mr. Sol. Gen. Did he take the Examination himself? Lodeman. Yes.
 Mr. Att. G. Did not he desire you to go before a Justice of Peace to be Sworn?
 Lodeman. No, Sir. Mr. Sol. Gen. Did he Write it himself?
 Mr. Att. Gen. Ay, he Writ it and took it, and this Woman that is coming here, is a
 Witness to it.
 L. C. J. What is this Womans Name?
 Mr. Braddon. This is the Aunt Margaret Smith. (Who was Sworn.)
 L. C. J. Well what say you to her?
 Mr. Braddon. I desire to know, what this Girl said to you, when she returned from the
 Tower the 13th of July? Mrs. Smith. She said to that effect that she speaks now.
 Mr. Braddon. What was that? tell the Court. Mrs. Smith.

Mrs. *Smith*, I chid her because she had been playing: That is all I can say.

Mr. Justice *Withins*, Did she tell you, the Soldier cried out for some body to come and take up the Razor?

Mrs. *Smith*, I cannot say that.

Mr. Just. *Withins*, Did she say, she saw a Razor thrown out of my Lord of *Essex's* Window?

Mrs. *Smith*, She said, she saw a Razor thrown out of a Window; I can't tell whether she said out of my Lord of *Essex's* Window.

Mr. *Freke*, Did you set your hand to that Paper?

L. C. Just. Were you a Witness to that Paper?

Mrs. *Smith*, There were others heard what the Girl said, as well as I.

L. C. Just. Who desired you to sign it?

Mr. *Freke*, Who writ that Paper, Mrs.?

Mrs. *Smith*, Pray excuse me, Sir, I do not know.

Mr. *Freke*, Did you see it writ?

Mrs. *Smith*, No.

L. C. Just. No: it was one got ready drawn by Mr. *Braddon*.

Mr. Just. *Holloway*, Pray let the Boy's Information be read again; for I observe there is a difference; she says, the Razor fell within the Pales, the Boy says, it fell without.

L. C. Just. Ay, ay, the one says it was the inside, the other the outside of the Pales.

Then the Information was read.

L. C. Just. Go on now, and ask your Questions.

Mr. *Braddon*, Did the Girl say, That after the Razor was thrown out, the Soldier cried to some body to take it up?

Mrs. *Smith*, Sir, I can say no more than what I have said.

Mr. *Braddon*, Did she, or did she not?

Mrs. *Smith*, Pray, Sir, excuse me; I have spoken what I know.

Mr. Att. Gen. You may see how he has managed this matter, my Lord, by his urging the Witnesses with Questions they know nothing of.

L. C. Just. Yes, yes, we see he would fain put words into their mouths.

Mr. Att. Gen. Mrs. Did you send to Mr. *Braddon* to inform him of what the Girl had said? or did he come to you?

Mrs. *Smith*, Sir, I never saw him before in my days.

Mr. Att. Gen. He came first to you then.

Mrs. *Smith*, Yes: he hearing of it, came as a stranger to me.

Mr. *Braddon*, Did I, directly or indirectly, offer you, or your Niece, any thing?

Mrs. *Smith*, No, never in this World.

Mr. *Braddon*, Did I ever desire her, or you, to say any thing but what was true?

Mrs. *Smith*, No, Sir: You ever encouraged the Girl to speak truth; and bid her speak nothing but what was truth.

Mr. Att. Gen. You need not pay dear for a Lie; you are like to pay dear enough before you have done.

Mr. *Braddon*, My Lord, As to personal knowledg, I am as much a stranger to this matter as any body here; and in all my Concern in it, I have done nothing but what was very fair.

L. C. Just. Mind your Defence, Mr. *Braddon*, and leave commending your self; or if you will, rather commend your self by your Actions than your Expressions: One good Action is worth Twenty good Expressions.

N

Mr.

The Tryal of Lawrence Braddon,

Mr. Braddon, Swear *William Glasbrook* (which was done).

L. C. Just. Well, what do you ask him?

Mr. Freke, My Lord, We desire to know of him, whether he was by on the 13th of July, when the Girl gave this Report?

Mr. Glasbrooke, I was up two pair of stairs when she came in.

L. C. Just. What is your Name, Sir?

Mr. Glasbrooke, *William Glasbrooke*.

Cl. of Cr. Ay, here is his Information, among those that were taken about Braddon.

Mr. Glasbrooke, She came in to her Aunt, that went out just now before me, and I heard her very loud with her Aunt, saying, the Earl of *Essex* had cut his Throat in the Tower. Her Aunt chid her upon it; and her Aunt chiding her, she said, she was sure it was true; for she saw a bloody Razor, with a bloody hand, thrown out of the Window.

Mr. Freke, Was this the day of my Lord of *Essex*'s Death?

Mr. Glasbrooke, It was the day the King was in the Tower, and, as was reported, the day he was killed.

Mr. Braddon, Were you present when I first discoursed the Girl?

Mr. Glasbrooke, Yes.

Mr. Braddon, Had you ever seen me before, or no?

Mr. Glasbrooke, No.

L. C. Just. Did she say, my Lord of *Essex* cut his Throat at that time?

Mr. Glasbrooke, Yes.

L. C. Just. Are you a Witness to this Paper? Did you set your hand to this Paper?

Mr. Glasbrooke, To the Paper Mr. Braddon writ, I did: I am a Witness to that.

L. C. Just. Then read his Information.

Cl. of Cr. Reads, — *Mr. William Glasbrooke does declare, That one Jean Lodeman, aged about Thirteen years, inhabiting in the same house where he, the said William Glasbrooke, lodged, did on Friday, the 13th of July last past, between Ten and Eleven in the morning, in the presence and hearing of him, the said William Glasbrooke, declare to her Aunt, That the Earl of Essex had cut his throat; upon which her Aunt was very angry with her; whereupon she, the said girl, did declare, That she was sure of it; for she saw him throw the Razor out of the Window; and that the Razor was bloody; and that she heard two groans or shrieks (which of the two words she used, he, the said William Glasbrooke, is not certain). Of this he, the said William Glasbrooke, is ready to make Oath.*

L. C. Just. Now my Lord of *Essex* cut his own Throat, and after threw the Razor out of the Window.

Mr. Glasbrooke, 'Tis what the Girl did declare.

Mr. Att. Gen. Does not this Girl usually tell Lies?

Mr. Glasbrooke, I have before that time taken her in a Lie.

Mr. Att. Gen. Did you acquaint Mr. Braddon with that?

Mr. Glasbrooke, I cannot tell that I did.

Mr. Att. Gen. Do you remember that you told Mr. Braddon, That she was a Girl that told Truth?

Mr. Glasbrooke, No, I never did that; for I was always of another perswasion about her.

Mr. Sol. Gen. He never was of that Temper, to praise her; he was always of a contrary perswasion.

L. C. Just. I'll assure him, that I am of his Opinion too: I do believe she is a lying Girl, and hath told us a company of Lies now.

Mr. Braddon, These Two Children told me, they never saw one another till they were examined at Council.

L. C. Just. Well, well: go on with your Witnesses.

Mr. Braddon, Where is *William Smith* (who appeared, and was sworn)? I desire
to

to know of you, Mr. Smith, what you heard the Girl say, when I was there?

Mr. Smith, I heard the Girl tell us, That she saw a hand cast out a Razor, and either the hand was bloody, or the Razor, I can't tell which; but she said it was out of the Window, where she said the Earl of *Essex* lodged.

L. C. J. Did she say the Earl of *Essex* did it himself?

Mr. Smith, She said, she saw an Hand cast out a Razor.

L. C. J. Did she tell you, it was the Earl of *Essex*'s Lodging-Window?

Mr. Smith, She said it was that Lodging.

L. C. J. Ay, but she says now, she does not know it to be his Lodging.

Mr. Braddon, My Lord, she says she was told it was his Lodging.

L. C. J. But you have made her to say positively, it was his Lodging, and that he threw out the Razor.

Mr. Sol. Gen. Pray Sir, where did you first hear this Report of this Girl?

Mr. Smith, There at the house, where she was.

Mr. Sol. Gen. Were you alone, when you went to the Girl the first time?

Mr. Smith, No, I went with Mr. Braddon.

Mr. Sol. Gen. Did you hear any thing of it before? What did induce you to go along with Mr. Braddon? What were the Arguments that prevail'd with you to go with him?

Mr. Smith, I did not know where he was going; Mr. Braddon called me at the Shop, as I stood at the Door, and ask'd me if I was busie, or would go with him? so I went with him to the Tavern.

Mr. Sol. Gen. You never heard one word before of the Girl's report?

Mr. Smith, No, I did not. L. C. J. What else did the Girl tell you?

Mr. Smith, I can't say what else she said. This I remember that I have told you.

L. C. J. Did she name the Earl of *Essex*'s Lodgings?

Mr. Smith, I am sure she said, the Lodging where the Earl of *Essex* lay.

L. C. J. Did she name the Earl of *Essex*?

Mr. Smith, She did name the Earl of *Essex*'s Lodgings.

L. C. J. Did she in so many words say, That it was the Earl of *Essex*'s Lodgings?

Mr. Att. Gen. Your Lordship sees they give one Evidence, and she another.

Mr. Smith, I cannot say, whether she did in so many words say so, or no; but she said, That she saw a Hand toss out a Razor, and either the hand was bloody, or the Razor, and it was where my Lord of *Essex*'s Lodgings was.

L. C. J. But did she name my Lord of *Essex*'s Lodgings?

Mr. Smith, Yes, she did.

L. C. J. Well, what else did she say? Tell us all she said.

Mr. Smith, She said, there was a man stood below, and she heard two shrieks, and the Man did say, Here is a Razor; and a Woman came out, or one in Woman's cloths, with white headcloths. Mr. Braddon asked if she see any Body take it up, and she said, no; but she heard a Man say, here is the Razor, and she saw a Woman come out.

L. C. J. You are sure that is all you heard her say? Mr. Smith, I think so.

L. C. J. Recollect your self, pray good Mr. Smith.

Mr. Smith, I do not know, that I heard any thing else.

L. C. J. Pray read his Information. C. of C. Here is *William Smith* subscribed.

Mr. Smith, Mr. Braddon writ down what the Girl said, and we did read it over all, and then set our hands to it.

L. C. J. Well, Sir, Read the Information then.

C. of C. Reads the Information as before ———

L. C. J. You hear what you have affirmed in this Paper that the Girl said; you have forgot in your Evidence now, this long business about the Soldier.

Mr.

Mr. *Smith*, My Lord, I have told all I did remember.

L. C. J. Why, you have set your Hand to it.

Mr. *Smith*, I did read it over, and it was nothing but what the Girl said, I am sure.

L. C. J. Where do you live? Mr. *Smith*, In *Throgmorton-street*.

L. C. J. What Trade? Mr. *Smith*, A Barber.

L. C. J. A notable Shaver upon my Word! a special fellow I'll warrant him!

Mr. *Braddon*, Call Mrs. *Mewx* (who appeared and was Sworn.)

Pray what day was it, you went from *London* to *Barkshire*?

Mrs. *Mewx*, The day before my Lord *Russel* was tryed.

Mr. *Braddon*, What Expression did you hear from a Gentleman in the Coach?

L. C. J. We must not suffer such a Question to be asked, that is not Evidence.

Mr. *Braddon*, My Lord, I ask the Question in general terms, what she heard such a day?

L. C. J. Does she know any thing of her own Knowledge?

Mr. *Braddon*, She can tell what she heard, my Lord.

L. C. J. 'Tis no Evidence.

Mr. *Braddon*, Will your Lordship please to hear what she says.

L. C. J. No, I will not hear what I should not hear; let her speak what she knows.

Mr. *Braddon*, She knows this, that a Woman told her——

L. C. J. Ask your Counsel, whether that be Evidence. If you will not be satisfied with what I say, ask them.

Mr. *Wallop*, She proves a Report.

L. C. J. I ask it of you, Mr. *Wallop*, Is what another said to her, Evidence in this Case?

Mr. *Wallop*, My Lord, If really there was such a Report——

L. C. J. Is that Evidence?

Mr. *Wallop*, 'Tis Evidence there were such a Talk, and that is Evidence of the probability of the thing.

L. C. J. I'll leave it to your self, If you as a Lawyer say 'tis Evidence, we will hear it, because you say so; but I believe you nor no body else will offer to say any such thing.

Mr. *Wallop*, My Lord, we lay it before the Court as part of the Ground upon which we went in our being concerned in this business.

L. C. J. Is that a Justification of Mr. *Braddon*?

Mr. *Wallop*, Upon these probabilities he engaged in this matter, and to prove this Report he brings this Gentlewoman to tell what she heard.

L. C. J. Why, is what the Woman told her, Evidence? She reported a Report to me, can that be Evidence?

Mr. *Wallop*, My Lord, with submission, we think it justifies Mr. *Braddon*, that he went upon these grounds.

L. C. J. Where is the Woman that told her? why is not she brought?

Mr. *Wallop*, They say, She is so big with Child, she can't come.

L. C. J. Why, if that Woman were here her self, if she did say it, and would not Swear it, we could not hear her; how then can her saying, be Evidence before us? I wonder to hear any man that wears a Gown, to make a doubt of it.

Mr. *Braddon*, I desire *Jeremy Burgis* may be called, (who appeared and was Sworn.)

Mr. *Wallop*, VWhat can you say about the Report in the Country?

Mr. *Burgis*, I was at *Frome* about my business on a *Fryday*——

L. C. J. VWhy Gent. what are we doing all this time? Do you think we
fit

fit here for nothing? Is not this the first time that a Report was given as Evidence in *Westminster-Hall*?

Mr. Freke, My Lord, We are necessitated to use this sort of Evidence.

L. C. Just. Itellyon, Sir, It is no evidence, be necessitated what you will.

Mr. Freke, My Lord, They have produced this man's Letter that was taken about Mr. Braddon, that is produced in Evidence against him: now this man comes to give an Account how he came to write that Letter.

L. C. Just. But he shall not give an Account by a Report in the Countrey.

Mr. Burgis, It was written to the Landlord of the house where I quartered, that he might give notice to Mr. Braddon of a Discourse that passed in his house that Friday, of a Report that was there concerning the Earl of *Essex's* murdering himself.

Mr. Att. Gen. Had the Master of the house told you any such thing?

Mr. Burgis, No, he had not told me so; but I heard it in the house.

L. C. Just. Of whom did you hear it? who told you so?

Mr. Burgis, Sir, I was a stranger there.

L. C. Just. They can never tell any of them, who it was first reported it, nor particularly who told it them; but it was reported by some body, we don't know who.

Mr. Beech, Under favour, my Lord, I rode directly to the *Post-Master* at *Froome*, whither this Letter was directed; and by the way, there is a Remark in the Letter of an alteration of the Figure, 'tis interlined the 13th: it was not so before; to hit the day exactly of the murder of the Earl of *Essex*; and when I came thither, the *Post-Master* told me, There was no such Report in his house, nor in the whole Town at that time.

L. C. J. I desire to know, upon your Oath, who told you that Report?

Mr. Beech, Sir, I do not know; I was a stranger there.

L. C. J. Was it a man or a woman?

Mr. Burgis, He did not tell his discourse to me.

L. C. J. But thou could'st guess by the Habit, whether it was a man or woman.

Mr. Burgis, It was a man.

L. C. J. Who did he tell it to?

Mr. Burgis, The Company in the house.

Mr. Att. Gen. Pray let him tell how Mr. Braddon came to speak to him about it.

L. C. J. Shew him that Letter. Look upon it, friend: is that your hand?

Mr. Burgis, Yes, it is.

L. C. J. When did you put that figure of 13. in? There was another figure before, and that is blotted out.

Mr. Burgis, It was a mistake in me: I mistook the day, and I corrected it.

L. C. J. When did you correct it? How soon did you correct it?

Mr. Burgis, Presently.

L. C. J. VWhat day had you put in first?

Mr. Burgis, The 6th day.

L. C. J. Ay, but that was not the right day, man.

Mr. Burgis, It was a great while after, and I did not expect to be brought in question for any such thing.

L. C. J. How long after?

Mr. Burgis, Six weeks.

L. C. J. How camest thou to recollect, to make it from the 6th to the 13th, Six weeks after?

Mr. Burgis, Mr. Braddon was there when I had writ it.

L. C. J. And he corrected it; did he?

Mr. Burgis, He said, That that was not the day of my Lord's Death.

L. C. J. You had written it the 6th, and he put you in mind of the 13th.

Mr. Burgis, Yes.

Mr. Att. Gen. And he was to be the messenger that carried the Letter himself.

Mr. Burgis, Yes, he was.

Mr. Sol. Gen. That is very well. I suppose Gent. you hear what he says, He says, Mr. Braddon was there and told him, that was not the day.

L. C. J. Ay, Mr. Braddon said, You have mistaken the time, that will not do it, it must be the 13th.

Mr. Att. Gen. Pray let me know one thing, Who recommended Braddon to you?

O

Mr.

Mr. *Burgis*, Indeed I can't tell.

L. C. J. Who did he say he came to you from? Tell the truth upon your Oath.

Mr. *Burgis*, Sir, I was at work at my business, and knew nothing of his coming.

L. C. J. What Trade art thou? Mr. *Burgis*, A Pinmaker.

L. C. J. Where do you live? Mr. *Burgis*, At Marlborough.

L. C. J. How came Mr. *Braddon* and you acquainted?

Mr. *Burgis*, Sir, I will tell you: I was at work at my Trade, and there came down a Gent. that lives in our Town to me, and asked me —

L. C. J. What is that Gentleman's name? Mr. *Burgis*, Mr. *Butcher*.

L. C. J. What is that *Butcher*?

Mr. *Burgis*, A Gentleman that lives in *Marlborough*, a *Grazier* by Trade. He came and told me, There was a Gentleman come from *London*, about the business now in dispute —

L. C. J. Prothee, what was spoke of?

Mr. *Burgis*, It was concerning the Earl of *Essex's* Death. And he desired me to speak what I heard at such a time.

L. C. J. Who had you told what you heard first, to? You must have told it to some Body; who did you tell it to first?

Mr. *Burgis*, Indeed I can't directly say, who I did tell it to.

L. C. J. Had you told that Gentleman of your Town, *Butcher*, as you call him?

Mr. *Burgis*, No, not that I know of.

L. C. J. Well, when he came to you, what then?

Mr. *Burgis*, He desired me to go to Mr. *Braddon*, to the White Hart. And so I went up to the White Hart; and when I came to Mr. *Braddon*, I told him what I had heard at *Forme*.

L. C. J. And what then?

Mr. *Burgis*, Then Mr. *Braddon* asked me the same Night, Whether I would go down along with him to *Frome*: and I could not; so then he desired me to write a Letter to recommend him to the house where I had heard it.

Mr. *Sol. Gen.* And you did write that Letter? Mr. *Burgis*, Yes, I did so.

Mr. *Att. Gen.* Your Lordship observes, this House was the Post-house, to be sure, to have it spread in publick places.

Mr. *Sol. Gen.* Did you tell *Butcher* of your knowledg, before he carried you to *Braddon*?

Mr. *Burgis*, Yes, Sir, I did. Mr. *Sol. Gen.* VVhen?

Mr. *Burgis*, Then, at that time.

Mr. *Sol. Gen.* Did he ask you of your Knowledg, or did you tell him voluntarily?

Mr. *Burgis*, He asked me if I remembred any such thing as I had spoken?

Mr. *Sol. Gen.* Why, had you spoke of it before? Mr. *Burgis*, Yes, I had.

Mr. *Sol. Gen.* Did he tell you upon whose recommendation he came to you?

Mr. *Burgis*, I do not know upon whose recommendation he came.

L. C. J. When you writ this Letter, did he dictate it to you, or did you write it of your self?

Mr. *Burgis*, I writ it of my self.

L. C. J. Did he tell you what you should write?

Mr. *Burgis*, I shewed him what I had written?

L. C. J. And when you writ it of your self, you put in the 6th day?

Mr. *Burgis*, Yes, I did so. L. C. J. What did he say then?

Mr. *Burgis*, Mr. *Braddon* said, it was the 13th day.

Mr. *Sol. Gen.* Why did you shew *Braddon* your Letter after you had written it?

Mr. *Burgis*, He came to my house before I had sealed it.

L. C. J. But why did you shew him the Letter?

Mr. *Burgis*, He desired a Letter to recommend him to that man at whose house I heard it.

Mr. *Sol. Gen.* What was he to be recommended to him for?

Mr.

Mr. Burgis, It was to desire him to enquire, who brought the News first to Town.

Mr. Sol. Gen. You say, He desired a Letter of Recommendation?

Mr. Burgis, Yes; it was to recommend him to that man.

Mr. Sol. Gen. That you may not be in a mistake, pray recollect your self; for there is not one word of Recommendation in the Letter. Tell the true Reason, why you shewed him the Letter?

Mr. Burgis, I can't tell any other, but only he came before I had sealed it.

Mr. Sol. Gen. Did he desire to see it?

Mr. Burgis, No: but the Letter lay writ upon the Table.

Mr. Sol. Gen. Was the Master of the Post-house at Frome, present when that Report you talk of, was made?

Mr. Burgis, I cannot rightly say whether he was or no.

L. C. J. How comest thou to put it in thus? This bears date a pretty while ago, *Marlborough, Aug. 21.* and that was a good distance of time from that Report that thou talkest of: How comes thou then to say, *These are to desire you to call to mind, That I was at Frome such a time, and heard such a Report:* If he was not there, why should he call to mind? What didst thou mean by that calling to mind?

Mr. Burgis, I would have had him called to mind my being at his house at that time.

L. C. J. But if he was not there, why didst thou ask him to call to mind that Report?

Mr. Burgis, He might hear of it from some other at that time, tho he might not hear it in that Company where I was.

Mr. Sol. Gen. There is a Riddle in it, if we could but solve it.

L. C. J. No, no, Mr. Solicitor, the Riddle is unfolded; 'tis a plain Contrivance.

Mr. Att. Gen. Pray, from whom did he tell you he was recommended?

Mr. Recorder, How came you to talk so to a stranger, Sir, whom you never see before, about such a business?

Mr. Burgis, He was recommended to me by Mr. Butcher, as I told you, who carried me to him.

Mr. Att. Gen. But who, as Braddon, or Butcher told you, did recommend him first to come down thither to you?

L. C. J. Upon your Oath, Sir, who did Butcher tell you he came from?

Mr. Burgis, I have forgotten, Sir; I do not remember.

Mr. Recorder, Was it not a Nonconformist Parson, Sir, upon your Oath?

Mr. Burgis, Sir, I cannot remember.

Mr. Att. Gen. Mr. Beech, Do you know any particular person that Braddon said he came recommended from?

Mr. Beech, I can tell what Account Braddon gave of his Journey himself: He said, he had a Letter that came particularly from this man to London, to bring him down into the West: Said I, When came you out of London? I came on Thursday, said he: Where did you lodge a Thursday Night? At Ockingham? Said I, That is not your way to Marlborough: Where did you lye the next night? He told me, at one Venables; and the next Night at Salisbury, I think.

L. C. J. Did Braddon tell you, he had a Letter from that man?

Mr. Beech, He said, A Letter from that man brought him down into the West.

L. C. J. Burgis, Did you send him e're a Letter?

Mr. Burgis, No: I did not.

Mr. Beech, He said, he came down purposely upon this Report.

Mr. Att. Gen. What said the Post-Master to you, Mr. Beech?

Mr. Beech, If you please to give me leave to speak, I'll tell you: I did desire, that Mr. Braddon might have no Pen and Ink, and presently I rid away to Frome, to this Post-Master's house, and spake with the Post-Master, and all his Family: We then examined them all, and there was no such Report in that Town till the Sunday after.

Mr. Sol. Gen. He was perswaded, sure, all people would say just as he would have them.

Mr. Thompson, Well, Mr. Braddon, Who do you call next?

Mr. Sol. Gen. Nay, I desire this man may go on; for methinks he mends e're a step he goes.

Mr. Braddon, Mr. Burgis, Do you remember how it was that you came to recollect your self, and to know it was the 13th, and not the 6th?

L. C. J. He says, You told him.

Mr. Braddon, Pray, Sir, remember your self, whether you did not say your self, You remembered the true time; for you came from Frome to Marlborough on the Saturday night, and then you heard there the Earl of Essex had cut his Throat the day before; and when they told you so, you cried out How can that be? It must be done before; for yesterday I heard it at Frome before Five of the Clock.

Mr. J. Withins, Did not Mr. Braddon himself tell you, You had mistaken the day?

Mr. Brad. Sir, It was from this, He told this whole Story that I just now repeated, that the Saturday night he was told, That the Earl had cut his Throat, and replied to them, that he had heard at Frome, the day before, that he was murdered, and then I said, that must be the 13.

L. C. J. How came you to tell that man, You had a Letter from Burgis?

Mr. Braddon, No, My Lord, I did not tell him any such thing.

L. C. J. Mr. Beech, Did not he tell you he had a Letter from Burgis?

Mr. Burgis, He told me he came down upon the Information of this Burgis.

L. C. J.

L. C. J. And he Swears he never saw him before nor never writ to him.

Mr. Brad. You ask me, whether I had received any Letter from this *Burgis*, I told you I had a Letter of Recommendation to *Mr. Butcher*, thinking he had been the Person that had reported it, and *Mr. Butcher* went to this Person and brought him to me, and he told me what he heard: *Mr. Beech*, I never heard of the name of *Butcher*, till now he mentioned it.

Mr. Braddon. My Lord, I will call no more Witnesses.

Mr. Att. Gen. Your Lordship and the Jury observe, I suppose, his confident Behaviour.

L. C. J. Ay, He is no more concerned at it, than if he had been doing the most justifiable thing in the World.

Mr. Thompson. My Lord, I have but one word to add on the behalf of *Mr. Speke*, who is likewise joyned in this Information. Truly, *Mr. Speke* is a young Gentleman of some quality, his Father is of very good Quality, *Mr. Braddon* was of his Acquaintance, and being his Acquaintance, and thus concerned, as you have heard in the Prosecution of this business; he hearing of these Reports, and resolving to go down into the Country about it, desired *Mr. Speke* to lend him his Man and his Saddle, for he was going into the Country. *Mr. Speke* inquires what his business was, thereupon he told him it was to inquire about some Persons that had reported something relating to the Earl of *Essex's* Death. And being to go into the Country where *Mr. Speke*, who was that Country man, had some Acquaintance, upon this he desires him to write him a Letter to recommend him to some Persons of Credit. He did write that Letter, but was never concerned in this business, either before or after; and this is the whole of the Case, as to this *Mr. Speke*.

Mr. Speke. My Lord, I desire I may speak one word for my self.

L. C. J. Ay, say what you will.

Mr. Speke. My Lord, One day, sometime after *Mr. Braddon* had concerned himself in this thing, I met him casually and accidentally, and he was telling me somewhat of the matter. And after this, one night as I was going to Bed between 10 and 11 a Clock at night, some Body knocked hard at my Door. My man went to the door, and opened the door, and *Mr. Braddon* comes in and tells me, he desired the favour of me, that I would lend him my man, and lend him my Saddle. He being my Acquaintance, and I knowing him, I was willing to do him that kindness; and asking him, whither he went? He told me he was going down to *Marlbrough*, and he told me he had heard that my Lord of *Essex's* Death was discoursed of there in the Country, that day it was done; besides other things of a Boy, and of a Girl, that could prove such and such things. Said I, this is a thing of great concernment, and I would have you take good advice in it, before you proceed, because otherwise it may be a Reflection upon the Government; therefore, said I, I would not have you proceed to concern your self further in this thing, but take the Advice and Judgment of some prudent and discreet Person or other, that you may do nothing but what is according to Law. I was never at all concerned, nor knew any thing of the business, but what I heard from *Mr. Braddon* at first. And before he came into my Chamber, I knew nothing of his coming; and I writ this Letter, because he should not concern himself without the Advice of some Person, that I thought was able to Advise him, that he might do nothing that might bring him within the danger of the Law, or reflect upon the Government.

Mr. J. Holloway. And you advised him to go by the name of *Johnson*, not *Braddon*.

Mr. Speke. It was late at Night, and I had been at the Tavern drinking a Bottle of Wine or two with a Friend, and might not so well consider what I did write.

L. C. J. But *Mr. Speke*, You hear what you writ, *We row against stream*, and we thank you for the Countenance you have given to us. And here is a worthy Gentleman, *Mr. Braddon*, who is a very proper man for the design he has in hand, and none better than he, and when you are with him, you may discourse freely, and he is true a man, and a stout man, and fit to be trusted, but he must not go by the name of *Braddon*, but of *Johnson*.

Mr. Speke. My Lord, the Reason was, because he was not personally know to *Sir Robert Atkins*; and for him to go down directly and to have it reported one of such a name came to *Sir Robert Atkins*, who was a man that had retired himself into the Country from all publick concern, I thought not so well.

L. C. J. Why did you trouble him, if he was so retired?

Mr. Speke. I had particular Concerns of my own, that *Sir Robert Atkins* was pleased to concern himself for me, and I knew him a prudent man that would advise him nothing but according to Law.

L. C. J. You should not have disturbed him in his privacies, *Mr. Speke*.

Mr. Speke. My Lord, I never was any other way concerned, I knew nothing of the matter.

L. C. J. You had done well if you had not concerned your self about it at all.

Mr. Sol. Gen. Most here do fear, you say, that he will be either Stabbed or Knocked on the head, and therefore you lent him your man to guard him, I suppose.

Mr. Speke. He desired me to lend him my man, because he did not know the way so well himself.

Mr. Sol. Gen. But why was there such fear about him?

Mr. Speke. I know nothing at all of the matter, but what I had from *Mr. Braddon*.

L. C. J. Ay, we live in such a stabbing Age, that such an extraordinary Gentleman as *Mr. Braddon*, that is such an extraordinary good Protestant, can't walk the streets for fear of being murdered.

Mr. Speke. My Lord, I writ it at such a time of the Night after I had been at the Tavern, that I knew not well what I writ.

Mr. J. Wisbim. *Mr. Speke*, You see what a sort of man he is, upon the Evidence that hath been given.

My

Mr. Speke. Truly my Lord, I never knew any thing, but what I had from him.

Mr. Sol. Gen. But to make the Country believe, that there were such endeavours here to stifle any thing that might give light into the Murder of the Earl of *Essex*, there must be great caution used to conceal his Name.

L. Ch. Just. Yes, being such a Vertuous Man, as *Mr. Bradden*, there was great need of all circumspection and care to preserve him, Why did not he get his Life-Guard to keep him from the danger, that was thought so near him.

Mr. Sol. Gen. They had not raised them as yet, but he was contented at present with *Mr. Speke's* Man.

Mr. Speke. My Lord, I am wholly innocent in all this matter.

L. Ch. Just. Would to God you were Innocent. You are a Man of Quality, *Mr. Speke*, I know; I should be glad you were Innocent with all my heart. But when Men forget their Studies and their own Business, and take upon them the Politicks without being called to it, That puts them into Frenzies, and then they take all opportunities of shewing themselves men of Zeal.

Mr. Att. Gen. We need but read the Letter which *Mr. Speke* has owned, and you will say it is ten times worse than what *Mr. Bradden* has done.

L. Ch. Just. Nay, I will not have *Mr. Bradden* topped upon for all that, I assure you.

Mr. Att. Gen. My Lord, if you read it once again, you will find that he therein owns it all, and pins the Basket upon himself.

L. Ch. Just. Indeed, *Mr. Attorney*, I will not have such a Reflection put upon *Mr. Bradden*, That any man should be a greater Actor in the business, than he.

Mr. Speke. My Lord, I writ it at night after a Bottle of Wine, and other people may be mistaken, as well as I.

L. Ch. Just. If some of these Gentlemen, that now and then think themselves better headed than others, and that are so extraordinarily concerned to preserve our Religion, but are generally much mistaken, were, and I observe their mistakes are always on the wrong side, I wish you could have gone and recollected your self next Morning *Mr. Speke*, and then the mistake had been more pardonable.

Mr. Speke. I writ nothing as to matter of Fact, but what he told me, and I could hardly recollect it next Morning, when he was gone away.

Mr. Retard. My Lord, We shall prove he has bragged, that is *Mr. Bradden*, That he was the only inventor of the Protestant Flashes, an Instrument you have heard of, Gentlemen, and for what use designed.

L. Ch. Just. But, Brother *Jenner*; that is nothing to the purpose now, what he was before this business, or what he was after. You are, Gentlemen, to Try him upon this Indictment only, and are not to mind any other thing at all.

Then *Mr. Speke's* Letter was read again.

Mr. Att. Gen. You see, Gentlemen, in what Strain it runs, *We* and *We*, He makes himself a considerable Party in the Design.

L. Ch. Just. Ay, *We* thank you for your kindness towards *Us*, and *We* hope to bring on the Tryal of the Earl of *Essex*, before they can any of those in the Tower.

Mr. Speke. He told me, Sir *Henry Capel* said it was a thing too great for him to meddle with. And I knew nothing, but what I had from him.

L. Ch. Just. He was a man of Integrity, and could tell you nothing, but what was true, *Mr. Speke*.

Mr. Wallop. My Lord, All I can say for *Mr. Speke* is this, He did believe *Mr. Bradden's* Grounds, as he told him, were probable to go upon, but he

knew nothing himself, and concerned himself no further. I hope the Jury will consider of it, that there is no contrivance proved against him.

L. Ch. Just. Nay, Mr. *Wallop*, tho' we interrupted you in making Remarks upon every Witness, yet now make what Remarks upon what hath been said that you will.

Mr. *Wallop*. My Lord, I shall leave it to your Lordship and the Jury, how far they think the Defendant Guilty of this Information.

Mr. *Att. Gen.* My Lord, We have indeed given as great an Evidence as ever was given I think of any Offence. But to clear up the matter, that it was impossible for any man, unless the most maliciously and villanously inclined against the Government and Peace of the Kingdom, that can be, to imagine such a thing, much less spread such a Report, we will call you two or three Witnesses to prove, that the Earl of *Essex* Murdered himself.

L. Ch. Just. 'Tis necessary, Mr. *Attorney*, I think for you so to do, to satisfy the World, tho' to a discerning Eye there is enough given from the Evidence this day, to make it appear to be a most Malicious and Scandalous Contrivance, to hawk about for every idle Rumor, to pick up Children of such tender years, and make them swear any thing to serve a turn.

Mr. *Att. Gen.* My Lord, We do not call these Witnesses, as if there were any doubt of it in the World.

L. Ch. Just. But we live in an Age, when Truth passes for nothing in the World, and Swearing and Forswearing is taken for a thing of course. Had his Zeal been half so much for Truth as it was for Falshood it had been a commendable Zeal. But when men are so zealous and fierce for such vile things as these are, 'tis time of my word for the Government to interpose.

Mr. *Att. Gen.* 'Tis not to satisfy the Court nor the Jury, who I believe are all of them already sufficiently satisfied, but 'tis to satisfy the World, that may have entertained some prejudices from this Conspiracy. Call Mr. *Bomeney* in.

Mr. *Sol. Gen.* Not as if there were any doubt, whether Mr. *Bradden* were the malicious Inventor of this Report at the beginning, and went down into the Country to spread it. The Evidence has been full, and by his own management of his Defence, he has proved it himself, and seems by his Confidence to justify it. But we shall, to give the World some satisfaction, call some that waited upon the Earl in the Tower, and others that saw him when dead, that will give a plain Confutation to any thing that could be supposed, as if my Lord of *Essex* had not Murdered himself.

Then *Bomeney* was sworn.

L. Ch. Just. Did you waite upon this unfortunate Gentleman, my Lord of *Essex*?

Mr. *Bomeney*, Yes, my Lord.

L. C. Just. Well, what do you know of his Death?

Mr. *Bomeney*. I went with him from *White-Hall*, and I staid with him all the while he was in the Tower.

L. Ch. Just. How came he by that unhappy End, pray?

Mr. *Bomeney*. When we were at his Lodging, my Lord used to call for a Pen-knife to cut his Nails of his Hands and Feet, and he then had long Nails, and said he to me, give me your Pen-knife to cut my Nails; said I, My Lord, I have none, I came in haste, but I will send to morrow for one; and therefore I sent our Footman, one *William Turner*; to whom I gave a little Note for Provisions, and among other things which I writ directions to the Steward to send, there was a little line, *Pray send a Pen-knife for my Lord*. He brought some Provisions, but he did not bring a Pen-knife on the *Thursday*, because he said he had none, but he would send one the

morrow after; I sent *William Turner* the Morning after very early, and gave him another little Note for Provisions; and among other things, I writ in the Note, *Do not forget the Pen-knife for my Lord.* He went, and when he was in the way, my Lord sent the Warder to me to call me. I came to my Lord, and my Lord asked, Is the Footman come? Has he brought the Pen-knife? No, my Lord, said I, but I hope he will not stay long, because I sent him early. Then I was turning to come down from the Chamber, and I saw my Lord walking in the Room and picking of his Nails with the Pen-knife.

L. Ch. Just. How? with a Pen-knife?

Mr. Bomeney. No, with the Razour that I gave him. For I went to my Lord, and when my Lord asked me, if I had gotten him a Pen-knife. I said, the Footman was not come, but I hoped it would come immediately, because I sent him early. And I was turning from the Chamber, thinking I had done with my Lord, and my Lord called me again, *Harke you, Bomeney,* said he, I can do it with one of your Razours. My Lord, said I, I will fetch one, so I went into my Closet and fetched one. And I went to my Lord, and when he had it, he did as if he picked his Nails with it, and was walking in the Chamber. I looked a little while upon him, and turned out of the Chamber into the Passage, where I talked with the Warder, *Russel* his Name was, and when I looked out of the Window, His Majesty was in the Tower, and there was a great bustle in the Street; and when I had talked a little with the Warder, I went down into my Closet again, and at the same time that I was in my Closet, there came the Footman, and one with him, that brought the Provisions, and he gave me the Pen-knife, and gave me a little Note, that he had brought with the Provisions, which, he said, *Mr. Billingsly*, that was our Steward, bid me to shew that to my Lord. I took it, and went up to shew it to my Lord; I found no body in my Lords Chamber, There was a Closet there, in which was a Close Stool; and that I found shut, and thinking my Lord was there, I would not disturb my Lord, but came down again and stayed a little while, in so much as I thought my Lord by that time might have been come out. I went up again and found no body in the Chamber, but the Closet Door shut still, I went against the Door, and knocked three times and said, My Lord, My Lord, and no body answered. Then I looked through the chink of the Door, between the Door and the Wall, and I could see blood, and a little part of the Razour. Then I called to the Warder and the People of the House, and they came up and found him there.

Mr. Att. Gen. Had you much adoe to open the Door, or could you open the Door easily?

Mr. Bomeney. No, the Door could not be opened easily, I know not how they opened the Door, but I think *Russel* the Warder, when he came up, pushed at the Door, but could not open it very far, because my Lords Foot was against the Door, and so they had much adoe to open the Door.

Mr. Att. Gen. Which way does the Door open out of the Room, or into the Room?

Mr. Bomeney. Inward, into the Room.

L. Ch. Just. And so, his Feet being against it, it could not easily be opened.

Mr. Att. Gen. How big is the Closet?

Mr. Bomeney. A very little Closet, I believe, no wider than that; and the length of a Man, and a Close Stool at the upper end would fill it up. My Lord lay all along on his side.

Mr. Att. Gen. Did you observe your Lord melancholly, *Mr. Bomeney*?

Mr. Bomeney. Yes, he was melancholly. But we took no notice of it, for he was used to be so, and we had no reason to suspect any thing more than ordinary.

Mr. Att. Gen. Did you find the Razour ?

Mr. Bomeney. Yes, it lay by him.

Mr. Att. Gen. What became of the Razour ?

Mr. Bomeney. The Coroners Jury had it.

L. Ch. Just. Was there any Window in that Room, where the Close Stool was ?

Mr. Bomeney. Yes, there was a Window.

L. Ch. Just. Was there a Casement to that Window ?

Mr. Bomeney. Yes, I think there might.

Mr. Just. Withens. Which way does that Window look ?

Mr. Bomeney. I can't very well remember, my Lord.

Mr. Just. Withens. Which way do you think ?

Mr. Bomeney. I believe it is upon a yard.

L. Ch. Just. He says, he does not well know. But, *Mr. Bomeney*, you saw *Mr. Russel* the Warder in the same place, as you came up again, that you left him in when you went down ?

Mr. Bomeney. My Lord, I went down but a little while.

Mr. Sol. Gen. Where did you find *Russel* the Warder, when you came up again ? *Mr. Bomeney.* At the Guard.

Mr. Sol. Gen. Did you find him in the same posture, when you went up again, that you left him when you went down ? *Mr. Bomeney.* Yes.

Mr. Sol. Gen. Did you hear of any body that went up else ?

Mr. Bomeney. No, my Lord.

Mr. Sol. Gen. Then we will call *Mr. Russel* the Warder he speaks of. (Who was sworn.)

Mr. Att. Gen. Pray, will you give my Lord an account at that time where you were, and what was done.

Mr. Russel. I was in the Chamber next opposite against my Lords Chamber, there is but a little step betwixt the Doors, the Stairs come up betwixt the two Doors, no body could pass backwards or forwards, but I must see them ; for I was then Waiter at that time, and stood upon the Guard ; and my Lord asked *Mr. Bomeney*, Whether the Pen-knife was come ; and he told my Lord, No. Then, says he, lend me your Razour, that will do it. And my Lord took the Razour in his Hand, and the Door was open, and he went two or three turns in the Room with the Razour so. This I saw, the Door being open, as I stood in the Passage. My Lord, by and by *Mr. Bomeney* goes down, and my Lord shut the Door to him, and *Mr. Bomeney* staid below a little while, and afterwards comes up again. And my Lord was gone to the Closet to Stool as he supposed. So away he comes down again, and staid about a quarter of an hour or thereabouts. And this I see all my self, my Lord.

L. Ch. Just. Had any Person been there from the time *Bomeney* went down to the time he came up again ?

Mr. Russel. No, my Lord, there was no body went up or down all the time, but *Bomeney*. He came up, and seeing my Lord was not come out of his Closet, (this I did stand and hear) so he puts by the Hanging, and looks in, and sees my Lord in his Blood lying in the Closet ; and he makes an Oration, a great noise, with that I stepped two or three steps, hearing him make such an Oration, and I found the Key was on the outside of the Door, and I opened the Door, and saw him lye in his Blood.

L. Ch. Just. Could you open the Door with ease ?

Mr. Russel. Yes, I could put it a little way open, and there saw him.

L. Ch. Just. But you could not put it quite open ?

Mr. Russel. No, for his Legs lay against the Door.

L. Ch. Just. Was it a narrow Closet ?

Mr. Russel. Yes, a very narrow Closet.

L. Ch. Just. In what posture did my Lord lye ?

Mr.

Mr. Russel. He lay all along on one side.

L. Ch. Just. Where lay the Razour?

Mr. Russel. By him. But I did not take so much notice of the Razour, for I was surprized with the sight.

Mr. Just. Holloway. Was there any Window in the Closet?

Mr. Russel. Yes, that looks into Captain *Hawley's* yard. And the Window is quite Northward.

L. Ch. Just. Which way does that Window look?

Mr. Russel. Quite the other way, into the Back-yard.

L. Ch. Just. Then there is no Way out, nor Light, nor Casement out into the Fore-yard.

Mr. Russel. No, my Lord, 'tis backward, and 'tis Paled in, only into the House there is a Door.

M. Att. Gen. Was there any Door out of the Street, that way?

Mr. Russel. No, there is one Door that goes out from the Entry to go into the Yard.

L. Ch. Just. Has any body else access to come to the Yard, but what must come thro' *Hawley's* House?

Mr. Russel. No, no body.

Mr. Sol. Gen. We will call Captain *Hawley* himself.

L. Ch. Just. Warder, Do you remember there was any Coach that stood there?

Mr. Russel. No, there was no such thing.

L. Ch. Just. I ask you for this reason, because here was a Girl that spake of a Coach, that came thro' the House I suppose, and so thro' the Entry out of that Door into the Yard.

Mr. Att. Gen. Where is *Lloyd* the Souldier? For, my Lord, as there was a Warder above, so there was a Souldier that stood at the Door, below. And while he stayed there, there could not any one come in, nor near, but he must observe them.

Mr. Sol. Gen. Pray, my Lord, be pleased to ask *Mr. Bomeney*, how long he lived with my Lord.

L. Ch. Just. How long had you lived with my Lord of *Essex*?

Mr. Bomeney. Six years.

Mr. Just. Wythens. You waited on him in his Chamber I suppose?

Mr. Bomeney. Yes, in the Nature of his *Valer de Chambre*.

Then *Lloyd* was sworn.

Mr. Recorder. Hark you *Lloyd*, you were the Sentinel. Give an account where you stood that day, that my Lord of *Essex* Murdered himself?

Lloyd. At my Lords Door.

Mr. Att. Gen. Which Door?

Lloyd. At my Lord of *Essex's* Door.

Mr. Att. Gen. Were you above Stairs, or below at the Street Door?

Lloyd. Below at the Street Door.

Mr. Just. Wythens. Did any body come into the House that morning?

Lloyd. No body came in, all the while I stood there, that I knew of.

Mr. Just. Wythens. Were you there at that time, when my Lord killed himself?

Lloyd. I was there, when the noise was made of it above Stairs.

L. Ch. Just. Did you see e're a Coach there?

Lloyd. Not to stand at the Door at all.

L. Ch. Just. Didst thou see e're a Coach in Captain *Hawley's* Back-yard?

Lloyd. No, no.

L. Ch. Just. Why, could not the Coach go thro' the Door and the Entry into the Yard?

Mr. Sol. Gen. Had you seen my Lord of *Essex* that morning?

Lloyd. Yes, he spake to me, and asked me, What a Clock it was?

Mr. Sol. Gen. Where was he?

Lloyd. At the Casement.

Q

Mr. Sol.

Mr. Sol. Gen. What did he say to you?

Lloyd. He said Centry, What a Clock is it?

Mr. Att. Gen. Did you see him, when my Lord Russell went by?

Lloyd. Yes, I saw him then.

Mr. Att. Gen. How long after was the Cry of my Lords having killed himself?

Lloyd. I believe, not half an hour after.

Mr. Att. Gen. Did any Maid go out of the House? Lloyd. None at all.

L. Ch. Just. What, not in a White Hood? Lloyd. No.

L. Ch. Just. Why, didst not thou call to the Maid to come and take up the Razour, that was thrown out of the Window of Captain Hawley's House?

Lloyd. There was no Razour at all thrown out, that I saw?

L. Ch. Just. Did not you open the Pales for her to go in, and take up the Razour? Lloyd. No.

L. Ch. Just. Was there any other Souldier there besides you? Lloyd. No.

L. Ch. Just. Then, you must be he that cryed out, or no body?

Lloyd. I saw no Razour, nor did not cry out to any body.

Mr. Sol. Gen. Could you open the Pales? Is there a Door to the Street-side out of the Pales into the Yard?

Lloyd. 'Tis no Yard, but there is a Door that all pass thro' that come to the House.

Mr. Sol. Gen. What else did my Lord of Essex say to you?

Lloyd. He only examined me, what a Clock it was; that was all.

Mr. Att. Gen. My Lord, We have here two Women, who were the only Women that were in the House, they will tell you, what they saw.

L. Ch. Just. Pray, Gentlemen, do not mispend your time unnecessarily, because I am to sit this afternoon at London. (Sworn.)

Mr. Att. Gen. My Lord, We will then only call Captain Hawley, (who was

Mr. Sol. Gen. Pray, Captain, tell what you know of this matter?

Capt. Hawley. My Lord, All the account I can give, is, That about 4 or 5 a Clock in the Morning, I went to open the Gates, that being the usual hour to open the Gates. And I was at the Gate then when a Warder came, and told me, my Lord of Essex had killed himself, and that was between 9 and 10 of the Clock. When I came into the House, I went up Stairs, and saw no body in the Room, nor no Blood; said I, to the Warder, What do you make a Fool of me? here is nothing: Says one of the Warders, look into the Closet, I went to the Closet, and could not open the Door above this winderess, and I looked in, and saw the Razour all in Blood, and my Lord lay on his Arm in this fashion. I could not tell, Whether he was dead or no, but I thought it was not my business to stir him. Then my Lord Constable was Ordered to come and Seize and Examine all the Servants.

L. Ch. Just. Pray, Captain Hawley, where does the Casement look into?

Capt. Hawley. The House, ever since I came to it, is just as it was; and the House having settled, the Casement won't open above thus far; and 'tis so low, and the Pales are 9 or 10 Foot high, that 'tis impossible for any one to throw any thing out of the Window 3 Foot hardly. It is one of the horridest Reports that ever was heard of, and the unlikelyest thing, they cannot throw any thing out of the Window to be seen.

Mr. Att. Gen. My Lord, I think it is not necessary to call any more Witnesses.

L. Ch. Just. Have they any thing to say further, on the other side?

Mr. Speke. I desire, my Lord, to call my Man.

L. Ch. Just. Call your Man, for what purpose?

M. Speke. My Lord, If your Lordship please, I will call my Man to prove, that I knew nothing of Mr Bradden's coming to me.

Then Mr. Speke's Man was Sworn.

L. Ch.

L. Ch. Just. Ask him, what you will?

Mr. Speke. Did you ever see *Mr. Bradden* with me?

Servant. Never but once, before that time he came to my Masters Chamber, which was the night before he went out of Town; and when he came, after he had been there a little while, my Master Ordered me to get me ready to go into the Country with him. And after I had been with him a little time, he got another to go with him, and sent me home again.

Mr. Speke. I was going to Bed, was I not?

Servant. Yes, you was.

L. Ch. Just. Have you done of both sides?

Mr. Speke. Was it not a Surprize to me, when he came to me?

L. Ch. Just. How does he know that?

Mr. Speke. I tell you, why, my Lord, I ask it; Because when I go out of Town, I always tell him, to prepare himself.

Servant. It was a Surprize to me; I knew nothing of it.

L. Ch. Just. Well, have you done now? Have you a mind to say any thing to the Jury, you that are of Counsel for the Defendants; or you, *Mr. Bradden*?

Mr. Bradden. No, I will say nothing.

L. Ch. Just. Have you, *Mr. Speke*?

Mr. Speke. My Lord, I have proved it here, That I had no hand in what I am Accused of. It is put down in the Information, that I Conspired, with *Mr. Bradden*, to endeavour to procure false Witnesses. I have proved, I never had any hand at all in any thing of it. It was an Accidental thing, his coming to me; and it was a great Surprize to me, when he came; and I never concerned my self in it more, than the Writing of that Letter: And I had no ill intent in it; I did it not designedly; for I knew nothing of his coming; and I had not writ the Letter, if he had not come to me. And 'tis plain, it was a Surprize, for I always give my Man notice, when I go out of Town, beforehand to prepare himself. I thought nothing at all of ill in the Letter: I writ it late at night, when I had been with some Company at the Tavern. And if he made me believe that to be True, which was not, I hope the Gentlemen of the Jury will consider that. I have nothing to say of the thing, I did not concern my self in it any further at all, than Writing the Letter, which I did not well know, what I Writ.

L. Ch. Just. Well, have you any more to say, *Mr. Speke*?

Mr. Speke. No, my Lord.

L. Ch. Just. Have you any more, *Mr. Bradden*?

Mr. Bradden. My Lord, I have only this to say for my self. It has not been proved directly, or indirectly, That I used any evil Arguments; to persuade these Witnesses to testify what was false; but I dealt with them with all the Candour, that any Person in the World could use; and used all the Caution that I could, to hinder them from speaking any thing that is false. There has been nothing proved of evil Practice used by me; and I desire the Gentlemen of the Jury to take no other notice of any thing that has been, or shall be spoken, but what has been Proved.

L. Ch. Just. Gentlemen of the Jury. The Evidence has been very long, that has been given, both for and against the Persons, against whom this Information is exhibited. 'Tis an Information exhibited by the Kings Attorney General, in His Majesties Name, against *Lawrence Bradden*, and *Hugh Speke*. And the Information does set forth, That the late *Earl of Essex* Murdered himself in the Tower, and that thereupon there was an Inquisition taken before the Coroner, that did find that he had so Murdered himself, he being before that time Committed for High Treason, in Conspiring the death of the King, and levying War to disturb the Government. And these Persons did render that Inquisition, as tho' it had been Fraudulently and Irregularly obtained; and

also to breed ill Blood, and spread false Rumours among the Kings Subjects, by endeavouring to perswade them to believe, That the *Earl of Essex* was Murdered by some other hand, and had not Murdered himself, and had procured false Witnesses to testify some such matter, in order to the spreading about that false Rumour. This is the Substance of the Information, For this Information they have both pleaded Not Guilty; and the Evidence, as I was telling you, has been somewhat long; but according to the best of my Memory, and for the assistance of yours, I will mind you of as many things as occur to me, that have been said against them, and what has been said on their behalf, I mean so much of it, as is Evidence. For I must tell you all hear-says, and common Discourses of other Persons is not Evidence, and I will give you that Reason, that is sufficient to satisfy any man, that is Unbiased, That if in case the Person, that is told the Story had been here, if he had not told it upon Oath, you could not have believed that Person. Therefore, surely there is less credit to be given to him, that tells a Tale out of another bodies mouth. And I tell you this, because there has been great Allowances given, and ought to be, when people are accused of such great and weighty Crimes; for these are monstrous Crimes, that these Gentlemen are accused of; but 'tis you, that are to try, whether they are Guilty or not. Certainly there is scarce in Nature a greater Crime that can be committed, than This, that is now before you; for I think Robbery, or any other such Felonies, are not such monstrous Crimes in their true real Weight, tho', in consideration of Law, in respect of Punishment they are greater; yet in point of Crime, they are surely less, for to spread false Reports, in order to raise Sedition, Ill-will, Heart-burnings, and Jealousies in the Kings Subjects against the Government, and to suborn Witnesses to that evil purpose, is surely a much greater Crime, than robbing on the High-way. Now, Gentlemen, 'tis not unknown to most of you, what endeavours have been, of late made, to possess the minds of the King's Subjects, of great Injuries designed to be done them by the King, or His Authority. And in order to foment Differences and Misapprehensions between the King, and his People, and among the People between one and another, all Arts have been used, to Proscribe People that they are minded to Expose. These, they bare ill will to, must be called Papists, or Papists in Masquerade; but They and their Confederates are the Sober Party, the true Protestants, as if there were none Sober or True Protestants, but such, as are Factious and Troublesom in the Government. But by these things they bring an Odium upon the Name of a Protestant, their aim is by distinguishing to divide us; whereas if they were Protestants in truth, the true Church of *England* Protestants, they would have another behaviour, they would learn to obey, and submit to Authority, and not go buzzing from House to House, and spreading false Reports, but study to be quiet, and do their own business. And tho' Mr. Bradden made use of the 5th Chap. of the *Ast.*, to the Child, he would have done well to have taken notice of some other parts of Scripture, that are as much Scripture, as That, that enjoin Obedience and Submission to the Magistrate; and, being quiet and minding his own business, it's odds, he had never come to that trouble, he is now likely to meet with. But the Crime, he is accused of, carries all the Venom and Baseness, the greatest Inveteracy against the Government, that ever any Case did, that I have met with. For its insinuated, That because the King and the Duke were walking in the *Tower*, that day, and near that time, when this unfortunate thing happened, now it must be whispered, as though the King and the Duke had designed this Murder. How Base? How Devilish, and Hellish a Design is this? But yet, this must be spread about and endeavoured to be distilled into the minds of the Kings Subjects. But besides, Gentlemen, you are to consider, as was opened by the King's Counsel, to what this thing tended;

for

for in as much as there was an horrid bloody Conspiracy to take away the life of the King, and of his Dear Brother, his Royal Highness the Duke of York. And forasmuch as several persons have been duely executed for that Conspiracy, who were concerned along with this unfortunate Lord; (I cannot help the naming of it, though I am sorry for his misfortune, for the sake of that Honourable Family) but rather than he would abide his Tryal, God knows what other reason he had, but the probability of the thing speaks it, he being conscious, the great Guilt he had contracted in being concerned in such a Conspiracy made him destroy himself. And 'tis easie to imagin how far that might prevail upon him, it being done immediately after my Lord *Ruffel*, who was one of the Conspirators with him, was carried to his Tryal. It cannot be thought, but it was to prevent the methods of Justice in his own particular Case. And, Gentlemen, there was *Digitus Dei* in it, and it is enough to satisfie all the World of the Conspiracy; though we live in an Age wherein men are apt to believe only of one side, they can believe the greatest Lye, if it makes for the advantage of their party, but not the greatest Truth, if it thwarts their Interest.

But because Mr. Attorney has produced his proofs to manifest that this Lord murdered himself, I will take notice a little of it, because it may have some good effect to undeceive some that have been imposed upon. Not for my own satisfaction, I thank God I am satisfied, and so I believe are most honest men; but that silly people may not be imposed upon by every busie fellow for the future, that takes the liberty to run about and spread false News, and that men may be aware of such fellows, and may not be decoyed any more by such false pretences; it was therefore fit that Evidence should be given of the truth of the Fact, that that Gentleman did murder himself. And the Evidence is this.

Besides the Inquisition, which was taken upon the Oaths of several persons of Quality (as you hear upon the reading their Names, several of them were Esquires, and men of Note) 'tis here also proved by the Testimony of his Servant that attended him, how he came to his untimely end. And, Gentlemen, I would observe, 'tis Sworn by his Servant, one that had lived six years with him, not an upstart, or a wandring fellow, but one whose integrity and fidelity to my Lord was confirmed by six years experience of his service. Then here is the Wardour that was at the Door, here's the Souldier, here's the Master of the House, who are all the persons that probably can give any account of the matter, and they tell you positively that no one did go up and down, but this Frenchman, who was his *Valet de Chambre*. And the Wardour tells you, that he coming to the Door, and knocking at the Door, and hearing no one Answer, did endeavour to open the Door, but it was so fast by my Lords feet, that he could open it but a little, and looking in, discerned blood, and that made him make Acclamations, as the Wardour calls it, Orations, which brought all the people in the house thither, and they gave the same account that he does.

And 'tis likewise fit to be taken notice of, that the window of this Closet looks into a private Yard, where no strangers usually come, and where no Coach could come; and that the Pales were so high, that in case a Man were desirous to throw any thing out, it were impossible to cast it above three Foot. And if there could no Coach at all come into the Yard, as it is plain there could not (for there is no door save only a back house door)

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Exclamations

then this must needs be a lie, that was spread abroad. And 'tis beyond all peradventure true that my Lord of *Essex* did murder himself.

Now to have so great a truth as this to be perverted, and so reproach the Government with falsties, is the most malicious thing in the World. If in case the Law has made it penal for any man to scandalize any one private person as it has; and if it be by Law, much more penal to scandalize a Noble Man: how much more ought it to be, when the King and the whole Government is thus scandalized.

Now to come to the Fact, as near as I can recollect, I will give you an account of what Evidence has been given of the one side and of the other. But this I thought fit to premise, because there will some Circumstances fall out fit to be taken notice of in the Evidence, especially about the Window in Captain *Hawleys* Yard and House, which may be cleared this way.

In the first part of the Evidence for the King, they call a Witness to prove the Earl of *Essex's* Commitment, which is part of the Inducement in the Information.

But for the Information it self, there is this Evidence. First, *Evans* he comes and tells you, how that he had heard at the Custom-house from *Edwards* the Father of this Boy, as though there had been a report came to him from home, at ten a Clock that morning my Lord of *Essex* cut his Throat, of a Razour thrown out of my Lord of *Essex's* Window; That he came to him in the afternoon again, and in the afternoon told him, He had examined the matter further, and his Boy confirmed the truth of it. He says that after this, Mr. *Bradden* and another man, one Mr. *Hatfell*, if I am not mistaken in his name, came to the place where he was in *Essex*, and there they had some discourse about my Lord of *Essex's* death, and there *Hatfell* took out of his Pocket a printed Copy of the Inquisition; and Mr. *Bradden* was then in the Room, but he says he thinks Mr. *Bradden* at that time took no manner of notice of it, but walked about the Room. But he saies the Inquisition was read while he was in the Room, and *Evans* said something about the report he had heard, which did seem to contradict that Inquisition. But some time after, he saies that he being at the Coffee house, *Bradden* and *Edwards* came to him into the Coffee-house, and there they began to talk; *Edwards* said, that *Bradden* had been with his Child to examine him, to bear Testimony about flinging the Razour out at Window. He was very full of the word [Matter], and tossed that to and fro, but at length the Substance of his Matter was, that Report of the Boys, and he advised them to forbear talking any farther to him about the Matter, for it might do *Edwards* and *Bradden* both an injury; and he had read the Inquisition which was quite contrary. That was all he could say.

Then comes *Edwards*, and the Substance of what he says is this, That he first heard it from his Family, and afterwards the Boy confirmed the truth of it; but then afterwards he heard he had denyed it, which was after *Bradden* had been there to inquire about it. And then he says *Bradden* came to him again, and then he had got a Note dictated by himself and not by the Boy, but at first he rendred it to the Boy, and the Boy refused to put his hand to it, and Mr. *Bradden* came again another time (though he was told the Boy had denyed it as he heard) and then the Boy did set his Hand. This is the Substance of what *Edwards* says. He does say indeed, the Boy used to tell lies very often, to make excuses when he played Truant, and that his Family told him, the Boy was often guilty of telling of lies.

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Then the next Evidence is the Evidence of the Boy himself. He it seems is thirteen years of Age: certainly any man that had been of an upright mind and Conscience, as Mr. *Braddon* pretends to be, and would have you Gentlemen think him so; would have it thought that he was full of honesty and integrity to the Boy, when he baited his Hook with a Text of Scripture, about the danger of telling a Lye, and, *Have a care, Child, of telling a Lye*; if he had done no more, but given him this advice, it had been worthy of commendation: but when the Boy had refused to sign it, for him to go and make such a stir without examining further into the particulars, but only taking a slight report from such a Child, and to make such a disturbance in the Nation, and such a Noise not only here but abroad, as this has done, sure argues neither uprightness nor Conscience. Had the Boy stood in it and persevered in it, it had become him, in regard of the tenderness of the boys age, to have been more inquisitive into Circumstances, before he gave such credit to what he said, as to make all this ado.

But what says the Boy, when he comes here, he is now upon his Oath, and he tells you, He did tell his Mother so at first, and he did tell Mr. *Braddon* so at first; but afterwards when his Sister spake to him, and bid him be sure to tell nothing, but what was truth, then he said truly, it was not truth. He tells you Mr. *Braddon* offered him the Paper to sign, but he would not sign it; and being asked the Question, Why he would not sign it: He says, because it was not true; and being asked, Whether *Braddon* had notice of this, the Mother and Sisters all tell you, He had notice the Boy had denied it.

How came Mr. *Braddon*, what Authority had he to take this Examination? He is no Justice of Peace, no Magistrate, that had any authority to take Examinations. What concern had he in it more than other people? The Boy could tell him there were abundance of people there besides himself, though it was a Lye he told then, and that the Girl told now. Why did not he stay to have it confirmed by some of those people? Why did not he carry these Children before some Magistrate, or Justice of Peace, some body that had authority to take Examinations? There was a Spirit that prevailed with Mr. *Braddon* to engage and make a stir in this business; and you may easily guess what a kind of Spirit it was which gave him this authority that he had not before.

Gentlemen, Another thing is this, 'Tis plain, and the Boy now swears it directly, That whereas he put it into his Information, How that he told him he was going to see my Lord *Brandon Gerrard's* Lodgings, but now he is upon his Oath, he swears directly, he never told him any such thing, and yet he hath put it into the Paper he made him sign.

He tells you a second time, Mr. *Braddon* came to him, which was after the Boy had refused and declared himself unwilling, and that then he was persuaded by Mr. *Braddon*, who told him there was no harm in it; if there be any harm, it would be to him, and not to the Boy, and so by vertue of that, he insinuated himself, and got the Child to sign that Paper, which is every Title of it false, as the Boy now swears directly. And he tells you, How he was imposed upon by Mr. *Braddon*, pretending there was no harm to him, all the harm would come to himself, and by reason of these Insinuations he was prevailed upon, to put his Name to that which was notoriously false.

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The next Witness (to make it appear that it was notoriously false, not only by the Boy himself, but by other Circumstances) is *Hawkins* the Ministers Son, Dr. *Hawkins*'s Son of the Tower. And he tells you, I play'd Truant as well as he that day, and I saw the King and the Duke at the Tower, and when I had seen them I went about as they did, and afterwards I went home, and there came a Report, that my Lord of *Essex* had cut his Throat, which made me go back again to the Tower, and there was I a considerable time gaping among other people, and there did I see this Boy *Edwards*; when he came there, I was there; I was there all the time that he was there, and we went out of the Tower together, and there was no such thing, nor any pretence or ground for such a story. And *Edwards* himself being asked the Question, upon his Oath, doth likewise say, *Hawkins* was with him all the time there. So that that shews not only by what the Boy says, that it was false, but it is also proved false by the Testimony of this other Witness *Hawkins*.

Then next comes Mr. *Blathwait* who was present when Mr. *Braddon* was before the King, and what does he say? He says there was the Boy fetched, and the Girl fetched, and all persons examined there, and then 'tis told him, all the Boy had said to him was false, and it was told him with all its Circumstances. So that notice sufficient, if you will believe Mr. *Blathwait*, was given to this Mr. *Braddon*, That the Boy had denyed it then, as he had before to his Sister: So he knew it was false.

But what does Mr. *Braddon* do now? He is so far from being satisfied in the Matter, that instead of stopping there, his Zeal transported him to pursue it further: And so he tells you, that Mr. *Braddon* confessed he would have got some Justice of Peace to have the Boy examined; and he applyed himself to Sir *Robert Clayton*, and Sir *John Lawrence*. There were many Justices of the Peace besides them, in London, to whom he might have applyed himself. But when he comes to Sir *Robert Clayton*, and acquaints him with the matter, he would not do it alone; it was thought a Matter of that Importance. Then says Mr. *Braddon*, you shan't do it at all. He must have the kindness of having it done in private; to have it examined when any body was by, was not so well for his purpose; which shews you still, Gentlemen, his design was to contrive privately, to effect that which the light should not easily discover.

Then the next thing is the Evidence of Mr. *Monstevens*, And he gives you an account, That he came to him, and he read the Information, and gave him a Caution, that he wondered at him: says he, Why do you concern your self about this business, there is Sir *Henry Capell*, he does not concern himself: Then he pretended to come in his Name, but at length, when Mr. *Monstevens* began to dispute it with him, why Sir *Henry* did not appear himself in it; Then truly Sir *Henry Capell* was very ill, and could not possibly come himself, but I am to go to him, and give him satisfaction about what I do, and so also to the Countess of *Essex*. No, says Mr. *Monstevens*, that cannot be, for Sir *Henry Capell* is not so ill, but that he has been with my Lord *Sunderland*, and with the King too, since the death of my Lord of *Essex*. To which he made him no Answer. So that that was but an excuse and a Subterfuge; but yet notwithstanding all this Caution, he continues on his Zeal in the thing: whereupon Mr. *Monstevens* brought him to my Lord *Sunderland*, and what discourse has past between them, he has given you an account of. The next Evidence

Evidence is Sir *Henry Capel*, who tells you, That *Braddon* comes officiously and tells him, He had some discovery to make about the death of the Earl of *Essex*, and you hear that poor Gentleman being related to this unfortunate Noble Lord, was at the first time very much under surprize (being in such great affliction as one Brother must needs be for another, Nature obliges People to a great concern for such Accidents) and he says, he is not able to give an account what he said, or did, at that time, or what *Braddon* did particularly say to him. But when he came the second time to him, he was a little more sedate and calm, and then (he does remember) he told him, If you have any thing of this nature to say, Go to a *Secretary of State*, it is his business to inquire into this Affair, and 'tis not the business of every particular private man, because these are Matters that concern the Government. But *Braddon* pretended (forsooth) it was his Zeal and his great Conscience that made him to be thus transported, and to be so eager for carrying on this Prosecution.

The next Witness, Gentlemen, that you hear of, is the Gentleman that seized upon Mr. *Braddon* in the Country; and that is Mr. *Beech*, who brought him before a Justice of Peace (one *Ayres* that it seems is since dead) and in his Pocket he found a Letter from the other Defendant *Speke*, which is the only thing indeed in the Evidence that does affect that Gentleman; and what that Letter is, you have heard it read, and for your better satisfaction, because the Language of the Letter is pretty extraordinary, if you have a mind to have it to peruse while you are here in Court, you may have it with you. I suppose you remember the substance of it, commending the great Integrity, Courage, and Magnanimity of this Gentleman Mr. *Braddon*, thanking the Person to whom it was writ, for his great kindness to him and his Friends, how they did hope to be able to get the Murder of my Lord of *Essex* tried before any in the Tower could come to their Tryal; That the Tide ran strong against them: And, pray, you must take notice, I have given him a hint he must go by another Name, by the Name of *Johnson*, and not by the Name of *Braddon*; for a lack-a-day he would be stabbed, in these dangerous times, or knocked on the head, if he be known by his own Name. Mr. *Braddon* would be thought a man so considerable in the World for his Zeal for truth, and the Protestant Religion, that there was very great hazard of his being murdered, we live in such perillous times.

Gentlemen, This is to amuse and affright people, and to put odd thoughts and jealousies and fears into the minds of the Kings Subjects, which was the beginning and rise of the late Rebellion, which we have all reason to remember with horror; that Rebellion that in the Issue of it brought the late King of blessed memory to the Scaffold: And therefore we must have a great care of such things growing upon us now.

And pray, Gentlemen, mind the Stile of the Letter: We have many thanks to give you, for your care of Us, and countenance you have given to Us, and We don't doubt We shall be able to carry on the business of the Earl of *Essex*, notwithstanding that the Tide runs strong against Us; We hope this, and We hope that, and so other, and so makes himself a Party. And here commends him in particular, to Sir *Robert Atkins*, to whom the Letter was written, to advise him in the matter he went about (which by the way, you see, was to pick up false Evidence), to carry on this wicked design.

design. And I must tell you, Gentlemen, if Mr. Speke was given to believe a Lye, and did write that Letter, with a design to have that Lye spread abroad, he makes himself a party, and he is as guilty in every Circumstance as the other, as to the design in general laid in the Information, though not equally guilty about the management of the Witnesses: And it is the Letter only that particularly affects him. But I tell you, If in case you think he was surprized in the thing, or did it ignorantly or innocently, without any Concern (though he seems to have a wonderful concern in his Letter, and very zealous he seems to be in the prosecution of this business) you are to acquit him. But, if he did contribute to the design of spreading this false report, he is as guilty of that part as Mr. Braddon, though he be not guilty of Suborning the Witnesses. But the Evidence against Braddon goes farther; There is not only the Evidence of this Letter, which speaks plain enough, as to this design, but you find also about him all the Informations that have been read. The Information of this Boy of thirteen years of Age; the Information of the Girl of thirteen years of Age: There was also taken in his Pocket a Letter from one Burgess a famous Pin-maker of *Marleborough*, written to one Cumpen a Post-Master at *Froom*, in this manner: 'Pray call to mind such a business of hearing such a report, of my Lord of *Essex's* cutting his throat, upon Friday the thirteenth of July last. Pray recollect such a thing, and impart it to this Gentleman the Bearer. This likewise was intrusted with Mr. Braddon: But it seems the man had gone and writ his Letter, and had put in the sixth day, which happened to be a week too soon, and this must be rectified by Mr. Braddon himself, he being a great Companion of Mr. Braddon's; for it seems he had such a confidence in him, that upon his Report, he came down from *London* to *Marleborough*, though now indeed, they pretend they never knew one another before: But it is proved he confessed he had such a regard to his report, that that brought him down from *London*. He had (as I was saying) put it down the sixth at his first writing; and I believe as to the thing it self, it was as true the sixth as any other time, and the sixteenth and the twenty sixth is all one to such people. And this Letter he tells you himself was written six weeks after, but Mr. Braddon must correct it: No, says he, you mistake, it must be the thirteenth, it must not be the sixth; the sixth would not do the business, for the thirteenth was the day that he was murdered, and so he was forced to interline it, the thirteenth, to make it to humour the story; for the Lye would not pass so well if it had been put upon a day so long before: but to make the Lye a correct Lye, and to humour the rest of the Evidence, Mr. Braddon comes and informs him, it must be the thirteenth.

That was the next piece of Evidence that was given, and I think the substance of the Evidence of the whole matter given against the Defendant for the King, except it be some remarks out of the Evidence that has been given on the other side, which it will be material for you to take notice of.

Now, Gentlemen, For the Defendants they bring this Evidence: First, they bring a man, I think his name was *Lewes*, to whom they gave the Money before he would give his Evidence. And he says one day he was going up a Hill near *Andover*, and going up the Hill, he heard the News of my Lord of *Essex's* cutting his throat; but what Day, Week or Month it was, he cannot tell

tell that he heard this. And, Gentlemen, Let me tell you, 'tis as bad as the case it self, and worse if possible, the endeavouring to pick up Witnesses to put a Colour and Countenance upon so black a Villany as this is. Then the next Evidence is *Fielder*, and he tells you, that at their Town of *Andover* the *Wednesday* before my Lord murdered himself, it was all the talk about the Town, that he had cut his throat; it was in every bodies mouth, the Market people, Men, Women and Children, all over the Town had it, when the Earl of *Essex* did it not till the *Friday* following. We asked him to name any one, no truly he could not, the Town was so full of people, and yet, he cannot remember one, whence he had it; but Gentlemen here is the malicious design of the matter: 'Tis to make it believed it was a designed business to murder my Lord, and cast it upon himself, and they knew of the design at *Andover*; two days before the fact was done: As though the persons that designed to murder him, would go to make it publick, as such a Report was likely to do. But the design of this, besides the falshood and baseness of the thing it self, does speak malice and sedition, and all the distempers of a disloyal mans Heart; and to go about to get Witnesses to support the credibility of a thing that is notoriously false, is ten times worse than the spreading of such a Report it self.

Then comes Mrs. *Edwards* the Mother, she is the next Witness, and she tells you at first, the Boy did tell this strange Story, but afterwards denied it, but she likewise tells you, how Mr. *Braddon* came, and how he dealt with the Boy. He is a busie man, you see, a great Reformer that does mightily concern himself in the Reformation of the Government. I never knew that Mr. *Braddon* had any great share in it: He has not such a prodigious Estate I suppose, that for fear of losing his great Estate he should be so wondrous busie and active in reforming the Government; but I have always observed it for a Rule, that your beggarly inconsiderable fellows are the warmest people in the business of Reformation, and for defending Liberty and Property as they call it; and then they put it under the disguise of Religion, when alas those that have no Religion are generally the greatest pretenders of taking care of it; and those that have no Estates nor Properties, are usually the fullest of noise about Liberty and Property. But the meaning of it is plain, if they can but exasperate the people into a Rebellion, that is the way to get a property: And if they can but have Liberty to do what they please, that is all the Liberty they contend for. They are such mean inconsiderable fellows only that make all this ado among us: For no persons of any interest or quality will offer to engage in any such thing. But I hope the Snare is seen, and we shall avoid it; for God be thanked we live under a regular Government, where the Laws are duly executed; we need not be afraid of wrong from the Government. The Courts of Justice are open where they may have security; and the best security to good Subjects, is that which the Law gives them.

Mrs.

† Mrs. *Edwards*, she tells you, When *Braddon* came to inquire about it, it made them all a little concerned; and the Daughter was affrighted, and she comes to the Boy, and says, *Billy, Billy*, here has been a Man about such a thing, pray speak the truth: Why, says he, will any harm come of it? Says she, I can't tell, but tell you the truth. And then when the Boy comes to tell truth, he then says, All the story was false. Besides this, says she, we told Mr. *Braddon*, before the Boy signed it, That he had said it was false; and he was told it again before the King and Council, that it was false. But nothing would serve him, but he must have a Horse and a Man, and he must go his Circuit to pick up ridiculous stories. Letters must be contrived from one to another to give a colour to the matter, and all this to spread about his malicious Reports and false News.

And by this means, Gentlemen, I must tell you, The matter is fixed as to the second part of the Information, which is the corrupting of Witnesses; for though he did not get any Witnesses sworn, and so 'tis no Subornation of Perjury, strictly, yet however 'tis a Misdemeanor to labour any one, much more such a Child, into a falsity, as apparently he did; for as the Boy swears now, He never did make mention of going to my Lord *Gerrards* Lodgings.

The next Evidence is young Mrs. *Edwards*, *Sarah* the Daughter, and she comes and gives an account of the same. That the Boy did tell such a story at first; but says she, I knew him to be such a lying Boy, and I had so often found him in Lies, that I did not mind what he said. And he used to tell Lies when he had been playing Truant. Then comes Mr. *Braddon* to inquire about the business, and when he began to prosecute it, the Girl began to be affrighted, and she calls the Boy to her, and engaged him to tell her the Truth, and then immediately upon that, he did say, it was all a story, and invention of his own.

And then 'tis very material to observe, That the Boy in that Paper of Information (which is all of Mr. *Braddon's* hand-writing) makes the Circumstance of the Razors falling down, to be cast of the inside of the Pales, and the Girl says, it was of the outside, and there was a Coach, and abundance of People by, and a great many fine Circumstances, and not one of them true.

The next piece of Evidence is, she does say, That after he told her it was false, she gave notice to *Braddon*, and being asked, Whether she did not frighten him by threatening his Father would be turned out of his place? she swears, No. But all those kind of Questions were by a side wind, to make Reflections upon the Government; as though the King would turn men out, because they would not swear what was false. It carries, I tell you, a sting towards the Government still, and shows the malice of the design. But, Gentlemen, you hear what is said about that, there was no such thing said; They did apprehend some fear, but from whom their fear came, that they can't tell. But she positively swears, when the Boy had denied it, he had notice of it; and when he refused to sign it, yet he pressed him, by telling him, there was no harm in it like to come, but only to Mr. *Braddon* himself, and so he was persuaded to sign it.

The

The next Witness is Mrs. *Barton*; She comes and tells you, that she was at Mr. *Edward's* house, and what she tells you of her own knowledge, you are to take for Evidence, and nothing more. She says *Braddon* did engage the Boy to tell truth, and put him in mind of that Chapter in the *Acts*, of the great displeasure of God against the two Witnesses that forswore themselves, and bid him speak nothing but the truth. And after he had talked thus awhile, she observed he was going to take Pen, Ink, and Paper, and she was afraid she might be drawn in for a Witness, and so she went out of the Room. But before that time, Mr. *Braddon* did go to see the Window, and the place where the Boy said the Razor was thrown out.

Then there is the Evidence of the little Girl, who is the next Witness, *Jane Lodeman* I think her name was, and that is likewise written by Mr. *Braddon*. Now you hear what that young Wench says. She comes and would give some sort of Countenance to the thing, How she was looking up at the Window of my Lord of *Essex's* Lodgings, and that there was a bloody Razor thrown by a hand out of the Window, but whether it was half bloody, or all over bloody, she can't tell, but bloody it was; and it was, as she says, thrown on the outside, though the Boy said, it was thrown of the inside. But the Wench being asked, Whether she knew that was my Lord of *Essex's* Lodgings? She answered, No, she did not, when they come and make her swear in her Information, that she saw the Razor thrown out of my Lord of *Essex's* Lodgings: And then she says, she heard no Souldier speak a word at all; but in the Information, it is set down, that the Soldier cried out to the people of the House, Go and fetch up the Razor. And this was all done in open day, and there were abundance of people, but she could not tell any particular body. So that of one hundred people, which, if she say true, were there, Mr. *Braddon* could not satisfy himself to inquire after some of them, but only he must pick up a Child of thirteen years of age, to practise upon, in this villanous manner. And it carries the greater venom, and malice, and virulency, and baseness, to endeavour to corrupt young people, to that heighth, as to come and say, and swear those things in the face of a Court, that are impossible to be true. It is impossible to be true, that she saw a Coach in the yard; for you hear what account Captain *Hanley* gives of his house. It is impossible to be true, that there should be a crowd of people, because that there was a Sentinel at the door, who must see all that go out, and that come in; and there is no way to go into the Yard, but through the Back-door, and the Pales are so high, that nothing can be flung over, that could be easily discerned. So that the very thoughts of such a thing as this are ridiculous in themselves, and not only the falsity of the story is apparent, but there is also apparent, a great villany, in endeavouring to get Witnesses to prove that falsity. For you see who Mr. *Braddon* employs; he gets a Barber to go along with him on purpose to testify what idle Reports he could pick up. But this Barber, and the other Witnesses, when they come here can't tell any thing. For the Barber, he says, she said, *There lay a Razor*;
T but

but the Information says, (to which he is a Witness) that the Soldier cried, *Take up the Razor*: and she now upon her Oath deny's any thing of that.

The next Evidence is the Aunt, and she tells you, she does not remember such and such particulars, but somewhat to that purpose she does; but whether she named my Lord of *Essex*, or no, in particular, as to his Lodgings, she cannot give an account.

Then you have *Glasbrooke*, that comes to give an account concerning this Girls story, and he plainly is quite different from what the others had testified before; for his Evidence is, That the Girl had laid my Lord of *Essex* cut his own Throat, and afterwards flung the Razour out of a window: After he had committed this horrid Murder upon himself, he got to life again, and threw away the Instrument he did it with, that is plainly his Testimony, that this Child should say so. So that as in the Case of *Susanna*, which I heard cited here upon another occasion, the wicked Elders were discovered by the different Circumstances of time and place; so here you have Circumstances of time and place, and of all things in the World, that can contribute to prove the falsity of this Report, and to prove the malicious design of these people that were engaged in this business.

The next Witness is one *Smith*, and he speaks much to the self same purpose. He was the Barber that went with *Braddon* to examine this Girl.

Now, Gentlemen, You are to consider of these Contrivances of *Braddon*, in busying himself to solicit these Children to testify these stories, after a denial by the Boy to sign the Paper, To tell him there was no harm could come to him, to dictate what he should say, and put words into his mouth, about going to see my Lord *Gerrard's* Lodgings, which he never spake of; for him to dictate to the other Witness the Pin-maker of *Marleborough*, what the right day should be, to set up such a senseless story that he heard such a thing at the *Posthouse*, but he cannot tell from whom, or name any one that heard it or spake it besides himself: it is strange how he should meet with this man, for even the man himself tells you, he knows not who he had discoursed of it to; and never saw *Braddon* till that time he writ the Letter. But you may observe that to be sure the report might be spread, it was so contrived that the scene should be laid in the *Posthouse*, and then it was like to run abroad quickly; for alas it was not their business to make truth of it, but to make the discontented rabble believe it to be a truth. And so they began to consult with themselves where it was best to lodge it, and upon deliberation the place must humour the design as well as the time, and that must be at the Post-Masters house, in order to disperse the noise of it, and then Mr. *Braddon* takes his Circuit to *Salisbury* unto Sir *Robert Atkins* at *Ston* in the *Hold*, and to other people, filling the Country with his braded Ware; and 'tis time to look after such Pedlars, for they vent the worst of Ware.

Then,

Then, Gentlemen, you may observe this fellow is easily perswaded to swear any thing, for he gives no manner of account how he came to hear what he speaks of, or from whom; or how Mr. Braddon came to him: He had never seen him before that time, he says; (though Mr. Braddon had such a value for this worshipful Pin-maker, whom he never saw, that he came from *London* upon the least intimation of this man, so zealous he was for the carrying on this weighty affair, which I may call this impudent and intolerable Lye).

Gentlemen, I must tell you, if any proof in the world be sufficient to prove malice, you have sufficient proof of it before you now. If it had been a thing of indiscretion only without malice, if there had been nothing of Caution given to him about it as a thing that concerned not him, there might have been something said to alleviate it; but for him to come as if he had Authority from the Countess of *Essex*, and Sir *Henry Capel* who denies it, shews the malice of his design.

Gentlemen, 'tis a concern of an High nature, and if you do believe these persons that are Defendants, or either of them to be guilty; such as you believe to be guilty, you must find Guilty, and of so much as you believe them Guilty. And if in case they shall by you be found guilty, the Court is to take care to inflict a punishment, if it be possible, suitable to their Offence.

Then the Court arose, and the Jury afterwards gave in a private Verdict, which the next morning was repeated in Court and recorded. And by that Verdict they found the Defendant Laurence Braddon guilty of the whole matter charged upon him in the Information, and the Defendant Hugh Speke guilty of all but the conspiring to procure false witnesses, and of that they found him Not Guilty.

F I N I S.

A D V E R T I S E M E N T.

IN the Tryal of Sir Samuel Bernardiston Baronet, lately published, you are desired to correct this mistake in Page 16. line 33. for *No*, read *Yes*.

The Tryal of *John Hamden* Esquire is now in the Press, and will be shortly published.

Luna 21. *Aprilis*, 1684. *Termino Pascha*, 36. *Carolus Secundi Regis. B. R.*

Dom. Rex versus Bradden and Speke.

Mr. Att. **M**Y Lord, Here are two Persons to receive your Judgment.

L. Ch. Just. Who are they?

Mr. Att. *Gen. Bradden and Speke.* But it being late, I know not whether you will give it now, or appoint some other time.

L. Ch. Just. No, no, let them come in, They will say we are afraid of giving Judgment else.

Then Mr. *Bradden* and Mr. *Speke* came into Court.

Mr. Att. *Gen.* My Lord, We pray your Judgment for the King, that you will set a good Fine.

Mr. *Williams.* We are retained to move in Arrest of Judgment.

Mr. Att. *Gen.* Judgment is entered already, and there is nothing but a Fine in the Case.

Mr. *Williams.* My Lord, If it be entered, it is entered but this Term, and 'tis in the Breast of the Court, if they please to admit us to speak in Arrest of Judgment.

L. Ch. Just. When were the Rules out?

Mr. *Williams.* My Lord, it was put off by consent to this day.

L. Ch. Just. But when were the Rules out, I ask?

Ch. of Crown. The Rules were out the last day of the last Term, and then Judgment was entered.

L. Ch. Just. Well then Judgment is entered, what say you against a Fine?

Mr. *Williams.* We were retained to move in Arrest of Judgment, I am sure I was, and instructed to that purpose.

L. Ch. Just. I cannot tell what you were retained to do, but now Judgment is entered, what say you as to the Fine?

Mr. *Williams.* We cannot say any thing as to that, we are not instructed; I am sure, I am not.

Mr. *Wallop.* My Lord, we took it, and I was told so, That it was put off by consent to this day.

L. Ch. Just. I know nothing of your Consent, nor what you consented to. If you consent among your selves at the Bar, that is nothing to the Court. Here we find Judgment entered, and we must proceed upon what is before us.

Mr. *Wallop.* Your Lordship will please to remember, what the Evidence was.

L. Ch. Just. I do remember it very particularly.

Counsel. My Lord, Mr. *Speke* is found Guilty of nothing but Writing that Letter.

Mr. Att. *Gen.* He is found Guilty of all but the Suborning.

L. Ch. Just. We do very well know there is a difference between them.

Then

Then the last Rule was read.

L. Ch. Just. Well, Judgment is regularly entered, what say you to it for the Defendants?

Mr. Wallop. My Lord, we conceive we have very good matter upon the Verdict, to move in Arrest of Judgment.

L. Ch. Just. Yes, no doubt what you have to say is extraordinary material, but you come too late, we cannot hear you. Sir *Samuel Astrey*, is Judgment entered according to the course of the Court?

Cl. of Cr. Yes.

L. Ch. Just. Then we must proceed to fine them.

Mr. Bradden. Pray, my Lord, Let *Mr. Ward* be asked, whether they did not agree we should move to day?

Mr. Ward. That was only an agreement on *Saturday* that they might appear to day, and I would not take them in Execution.

Mr. Bradden. This was the day, I was to move in, my Lord; *Mr. Burton* knows very well, he agreed to it.

Mr. Burton. I know nothing more of it, my Lord, but that indeed I did consent on *Saturday*, that whatsoever they could move then, they should move on *Munday*.

Mr. Ward. That was only that they should appear to day, instead of *Bradden's* being taken up by a *Capias pro Fine*.

L. Ch. Just. Well, well; I know nothing of your agreements, here is Judgment entered regularly as we find it, you had best bring your Action against *Mr. Burton*, if he have done you any wrong, but I did not know that *Mr. Burton* was the Kings Attorney. But I find here is Judgment against you, and 'tis for a very foul Offence, as notorious an Offence as any Person, under that which is Capital, could be guilty of; base aspersions of the Government, in order to promote Sedition, and Faction, and for that End made use of all Villanous means to corrupt Infants, and then justify that Villany with a brazen Face, to that degree of Impudence as I never before saw, That all the Justice of the Nation must be affronted by such audacious Fellows, for it seems his Confidence has not left him, but here he smiles, and seems as if he had done no harm.

Mr. Bradden. My Lord, I know my own Innocency, and therefore have no reason to be troubled.

L. Ch. Just. Your Innocence! your Impudence you mean. I tell you, had you been in any other Country, but this, the Innocence you brag of, would have sent you to the Gallies.

Mr. Just. Wythins. Then you think, *Mr. Bradden*, you have done very well in what you have done.

L. Ch. Just. Ay, I assure you does he. And the Zeal of his Party has gone so far, that at *Winchester*, when I was there in the Circuit, I was told that his Doctrine had obtained so much in that Country, especially about that place whence some of his Witnesses came, I mean, *Andover*, that there was a Woman that was here the other day, *Mrs. Drake*, being at Conventicle, held forth, that my Lord of *Essex* was murdered, while the King was in the Tower, and that God was the Avenger of Murder, and had found out a proper Person for the Prosecution of it, that was *Mr. Bradden*; and this
snivel-

snivelling Cant prevailed at the Conventicle. It is no such smirking matter as you make it, Mr. *Bradden*, I assure you.

Mr. *Bradden*. My Lord, if I did know my Self to be under any Guilt, I would very readily and humbly acknowledge it.

L. *Ch. Just.* Well, I see a great many of the Party about you, I can spy them out, though they think they are not seen; but they shall know we will not suffer such Monsters as these to go without due Punishment.

Mr. *Just. Wythins*. He stands upon it, he is innocent still, notwithstanding all that was proved, and the Juries Verdict.

L. *Ch. Just.* Yes, alack a day, he wipes his Mouth, and has not so much as eaten, I'll warrant you.

Mr. *Just. Wythins*. I expected you would have been sorry, Mr. *Bradden*, for what you had done, and expressed some Penitence, but, it seems, you are very innocent.

Mr. *Bradden*. I did not directly, nor indirectly, offer any thing to induce the Children to give their Testimony, nor was any such thing proved: I know my own Innocency.

Mr. *Att. Gen.* The Jury have found it otherwise.

L. *Ch. Just.* And that upon a fair, a full, and a convincing Evidence, and no man in the World can make any doubt of the truth of that Verdict; but he that had a share in your Guilt, or in that that it had a tendency towards, I mean that Horrid Conspiracy. And I assure you, Mr. *Bradden*, you tread upon the very heels of it; smirk at it, and be as merry about it as you will.

Mr. *Bradden*. If I did not know my own Innocency, then I had reason to be troubled.

L. *Ch. Just.* Your own Innocency! If you did not know your own Impudence, you mean; 'tis that only that makes you Smirk and Smile at such things as these.

Mr. *Just. Wythins*. Mr. *Bradden*, when you were advised by Sir *Henry Capel* to take a prudent and a good course, to go and leave it with a Secretary of State, you would not take that Advice, but you would go your own way, and you would turn Examiner, and Prosecutor your self; when he that was the Earls Brother, and was far more concerned than you, thought it fitter to go that way.

L. *Ch. Just.* We remember what Sir *Samuel Bernardiston*, in his Letter, speaks of this matter. Mr. *Bradden*, he was got off; why they dare not meddle with Mr. *Bradden*, he is such a dreadful man, and his Party are so considerable that we dare not meddle with them; and the *TORIES* are all cast down; alack a day! because these Fellows can't cast down the Government, therefore all honest men must be cast down, and not dare to meddle with them; but they shall see we are not so much cast down, but we are able to reach the highest of them. What Condition is this man in? I speak in point of Estate, for his other Conditions, we know what they are, his Tryal will satisfy any man of that.

Mr. *Att. Gen.* He is the Eldest Son of a Father that has a good Estate.

Mr. *Williams*. He is then but Heir Apparent.

Mr. *Bradden*. No, I am a younger Brother.

Mr. *Williams*. It seems he is but the Second Son, and a young Gentleman.

Mr. Bradden. My Father has an Elder Son alive.

L. Ch. Just. I remember particularly 'tis said in one of the Letters, That he was a Man of 7 or 800 *l.* a year.

Cl. of Cr. That was in *Mr. Speke's* Letter. He says his Father had so much.

Mr. Bradden. That is in *Mr. Speke's* Letter; but that is not true.

L. Ch. Just. I don't know truly, that may be as false as any thing else you went about to have these Children Swear, but I'll undertake it, if thou hadst told the little Girl that he had 800 *l.* a year, she would have been as ready to have Sworn it as the other.

Mr. Just Wythins. 'Tis a wonderful thing, *Mr. Bradden*, you could bring no body to come and testify these things, but those two little Children.

L. Ch. Just. But oh! what a Happiness it was for this sort of People, that they had got *Mr. Bradden*, an honest man, and a man of Courage, says *Mr. Speke*, a man a *propo*; and pray, says he to his Friend, give him the best advice you can, for he is a man very fit for the purpose, and pray secure him under a sham Name, for I'll undertake there are such Designs upon pious *Mr. Bradden*, such Contrivances to do him a mischief, that if he had not had his Protestant Flayl about him, some body or other, would have knocked him in the head, and he is such a wonderful man, that all the King's Courts of Justice must needs Conspire to do *Mr. Bradden* a mischief; a pretty sort of a man, upon my word, and he must be used accordingly; men that arrogate and assume to themselves a Liberty to do such kind of things, must expect to fair accordingly.

Mr. Just. Wythins. *Mr. Speke* is not found Guilty of the Subornation.

Mr. Att. Gen. He is found Guilty of all but the Subornation, he is found Guilty of Conspiring to spread the Report. The Subornation will require another sort of Punishment.

L. Ch. Just. Ay, but there is a difference between them. The Crime was very great in *Mr. Speke*, tho' not so great as in *Mr. Bradden*, and I am sorry that *Mr. Speke* should be concerned in it, and should take such care about such a business, with all that Piety and Zeal for Religion he expresses in his Letter to Sir *Robert Atkins*, (*Mr. Justice Atkins* that was) that he should recommend him to have a wonderful care of him, and then thank him for his kindness, shewed to *Our Party*: So he makes himself to be of the Party, and makes this the business of the Party, and so makes himself to be a sharer in the business; for 'tis *We thank you for your kindness to Us, and the Tide is strong against Us; and We hope we shall be able to bring the business of my Lord of Essex upon the Stage, before they do any of those in the Tower.* So *Mr. Speke* makes himself a Party in the business. And I am mighty sorry that when he comes to be asked the Question, How he came to Write this Letter, he should tell us, He had been at the Tavern, and did not know what he Writ, but does not say he recollected afterwards It seems he used to be often at the Tavern, and had been there when he writ this Pious Letter, and so his Saintship broke out in a fit of Drunkenness, for most of our Reformers of Religion now adays, want common Morality. And yet they are wonderfully Zealous for Reformation

formation and Religion. All the Villany that has been thought of, nay, more than ever could enter before into the Imagination of Mankind, has been wrought by these Men, that pretend to be Reformers of Religion, and amongst the rest Mr. *Bradden*; and indeed I look upon *Bradden*, to be the Daringest Fellow of the Party, he and his Brother *Smith*. If there were any Reluctancy, or any Sense of any Guilt they had contracted, and would shew it, by acknowledging their being surprized into it, and testified Repentance, by a Submissive and a Dutiful behaviour, that were something to encline the Court to Commiseration, but when we see, instead of that, they are more obdurate and steeled in their Opposition to the Government, they must be reclaimed by Correction, and kept within due bounds, by condigne Punishment, otherwise it will be thought by the Ignorant sort of People, that all Courts of Justice are afraid of them.

Mr. *Just. Wythins*. Nay, Mr. *Bradden's* Zeal was very extraordinary in the Case, going on in this business, not only without, but contrary to the Advice of Sir *Henry Capel*, who surely was most concerned about the Death of his Brother.

Then the Judges between themselves consulted about the Sentence, which Mr. Justice *Wythins* pronounced thus.

Mr. *Just. Wythins*. Mr. *Bradden*, You see what it is you are convicted of, It was for as fowl an Offence, as any can be imagined, that is not Capital, wherein the King is very much concerned, for the Insinuations were such, as that the King was mightily concerned, for in as much as you say the Earl of *Essex* should be murdered at that time while the King was in the Tower, it was an implied accusation of the King, and an insinuation, that the King should design to take away an innocent man's Blood, and so downright be guilty of murdering an innocent Person, which how great an Offence that is, let any man that has any Loyalty, or Reverence for the King in him consider, and you cannot say you are innocent, Mr. *Bradden*. Your prosecution was most pertinacious, and you would proceed, even after the Boy had denied it, and proceed in such a manner, when Sir *Henry Capel* had told you, what you should do; and what did you go upon? You had got a little Girl, a Child of 11 or 12 years old, to tell a story of I know not what, and no body else knew any thing of it, and this must be a ground sufficient for you to go up and down, and spread such a Report, when Sir *Henry Capel* gave you advise to go to a Secretary of State, and let him examine it; indeed you did go to him, but would not rest satisfied with what the King and Council did; no, Mr. *Bradden*, you thought that would not gratify your own passion, and malice, against the King and the Government, but you must take ways of your own. This is to scandalize the whole Justice of the Nation, and not only make the King a Murderer, but you would have all the Plot here-

by quite lose its Credit; and you would make it, as Sir *Samuel Bernardiston* would insinuate, a sham Plot to take away innocent Protestants lives, But as to the Plot, there has been fresh proof of it beyond all contradiction this day, a man here in the Face of the whole Court has owned the whole thing, he would not take the liberty of defending himself, that was offered him, if he would try it, but Confessed that Conspiracy, which you had a great mind to be an Instrument of making the World to believe was nothing but a Sham. I shall not make any long Speech to you, The Court for this Offence,

Sets upon you, Mr. Bradden, the Fine of 2000 l. and order that you find Sureties for your Good Behaviour during your Life, and that you be Committed till this be Performed. And for you Mr. Speke (we have considered that you are not so highly Guilty as Mr. Bradden, you are Guilty of a great Offence, but not so Guilty as he, and therefore) we think fit to set upon you the Fine of 1000 l. and that you find Sureties for your Good Behaviour, during your Life, and be Committed till you perform it.

L. Ch. Just. Marshal take them in Custody, and use them as they ought to be used.

Counsel. My Lord, Mr. *Speke's* Bail is discharged, I suppose.

L. Ch. Just. Ay, they must be, as to this matter, but nothing else but this.

Then they were carried away to the Kings-Bench.

F I N I S.

